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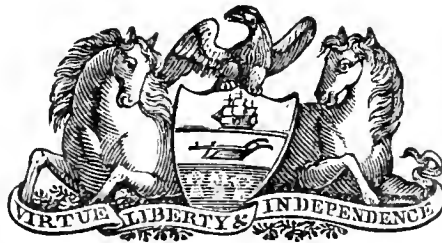
STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1859,

IN THE

EIGHTY-THIRD YEAR OF INDEPENDENCE.

WITH AN APPENDIX.



HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1859.

BY AUTHORITY.

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L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

A N A C T

To fix the place of holding Elections in Orwell township, in Bradford county.

WHEREAS, The building in which, by law, the general and township elections for the township of Orwell, in Bradford county, have heretofore been held, has recently been taken down, and said township is now without any legal place for holding said elections:

And whereas, There will be no session of court in said county to which application can be made, before the time fixed by law for holding township elections in said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all general, special and township elections of Orwell township, shall be held at the Orwell Hill public school house, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

LAWS OF PENNSYLVANIA,

No. 2.

AN ACT

Changing the place of holding the General and Township Elections in Highland township, Elk county.

WHEREAS, The general and township elections have been held at the house of John T. Wells, in Highland township, Elk county:

And whereas, The said John T. Wells has since removed from the said township, and the house occupied by him and in which the elections were held has been destroyed by fire, the said district is without a place to hold their elections:

And whereas, Upon application being made to the court for authority to change, and the said court having decided that they had no authority to make such change:

And whereas, The elections are to be held in February next; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of holding the general and township elections in Highland township, Elk county, shall hereafter be at the house of Levi Ellathrope, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 3.

AN ACT

To authorize the Commissioners of Fayette county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the commissioners of the county of Fayette be and they are hereby authorized and empowered to borrow, on the credit of said county, any sum or sums of money not exceeding the sum of ten thousand dollars, and therefor to issue bonds or certificates of indebtedness of said county of any denomination not less than one hundred dollars, payable at the expiration of ten years, or any shorter period, from the date of issue of such bonds or certificates, at any rate of interest not exceeding six per centum per annum, payable semi-annually or otherwise, to the holder or holders of such bond or bonds, certificate or certificates.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 4.

AN ACT

To authorize the President of the Select Council of the city of Erie to act as Mayor of said city until the next general election of city officers.

WHEREAS, A vacancy now exists in the office of mayor of the city of Erie on account of the absence of that officer :

And whereas, No provision has been made in the act incorporating the said city, nor any of the supplements thereto, authorizing the election or appointment of any person to fill the said vacancy ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the person elected by the select council of the city of Erie to preside over that body shall exercise the functions of mayor of said city, and shall have all the powers and authority, and be invested with all the obligations of that officer until the next general election for city officers.

SECTION 2. That all the acts heretofore done and performed by the presiding officer of the said select council in his capacity as acting mayor of said city, for the time being, are hereby legalized and rendered good and valid, so far as the same are

Presiding officer
of council to act
as mayor.

Acts of presiding
officer legalized

LAWS OF PENNSYLVANIA,

not inconsistent with and in violation of the laws of said city and of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 5.

A N A C T

Relative to the Sale of Unseated Lands in the county of Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the returns for the collection of taxes on unseated lands, and for exonerations required to be made in pursuance of the several provisions of an act of assembly approved the twenty-first day of April, one thousand eight hundred and fifty-six, entitled "An Act relative to the sale of lands for the non-payment of taxes," shall be good and valid in the county of Elk for the years eighteen hundred and fifty-eight and eighteen hundred and fifty-nine, if made on or before the first day of May, eighteen hundred and fifty-nine.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 6.

A SUPPLEMENT

To an act to incorporate the Philadelphia and Darby Railroad Company, approved the twenty-eighth day of April, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia and Darby railroad company be and the same is hereby authorized to borrow for the purpose of completing and equipping its railroad, any sum or sums of money not exceeding one hundred thousand dollars, and to issue its bonds therefor, in such sums and at such rates of interest, not exceeding seven per cent. per annum, and payable at such times, and with or without coupons, as the president and directors of the said company shall deem expedient, and to secure the payment of the sums so borrowed by a mortgage of its corporate rights and franchises, and all or any part of its other estate, real or personal: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 7.

SUPPLEMENT

To the act incorporating the Bedford Railroad Company, approved the eighteenth day of March, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That latters patent may be issued to the Bedford railroad company, whenever the amount of capital stock required by the second section of the act of assembly, entitled “An Act regulating rail-

LAWS OF PENNSYLVANIA,

road companies," approved nineteenth of February, one thousand eight hundred and forty-nine, shall have been subscribed to said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 8.

AN ACT

To abolish the offices of Canal Commissioner and State Engineer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the office of canal commissioner of this commonwealth be and the same is hereby abolished; and the canal commissioners are hereby required and directed to deliver up to the custody of the auditor general all books, papers, records and other property belonging to said department, whose duty it shall be to take charge of and preserve the same.

Books, &c., of department to be delivered to auditor general.

Auditor general to give copies of entries and papers.

Fees for certified copies.

Certified copies to be admitted as legal evidence.

Office of state engineer abolished.

List of claims to be arranged alphabetically in a book, &c.

SECTION 2. That the auditor general is hereby authorized and required, upon the application of any person or persons, to give copies of any entry or entries of the books heretofore kept by the canal commissioners, under the seal of his office, and also to furnish, upon application as aforesaid, copies of any paper or papers on file in said office, to any person or persons requiring the same, under the seal of his office, and for every such certificate shall charge the person or persons receiving the same one dollar, for which he shall account to the commonwealth; and the copies certified and attested shall be deemed and admitted as legal evidence in any court of this commonwealth with like effect as the original.

SECTION 3. That from and after the passage of this act the office of state engineer be and the same is hereby abolished.

SECTION 4. That the auditor general shall cause to be entered in a book to be procured for the purpose, a list of all claims that have been or may be preferred against the commonwealth, to be alphabetically arranged, which book shall contain the name or names of claimants, on what branch of the public improvements the said claim originated, and what for, the date when

the alleged liability accrued, amount of claim, amount allowed, or when rejected, and when acted upon, and such remarks as may facilitate future investigations, which book shall be deposited in the auditor general's office, and be completed at the earliest possible day.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 9.

A N A C T

To consolidate the stock of the Girard Bank of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the stockholders of the Girard Bank of the city of Philadelphia, by a majority of votes, the stock having been held not less than three months prior to the passage of this act, at a meeting to be held for the purpose, upon thirty days' public notice, in at least two daily newspapers published in the city of Philadelphia, be and are hereby authorized to empower the president and directors of said bank to change the value of the shares of the stock of said bank from the present par value of twelve dollars and fifty-cents per share, to fifty dollars per share, by cancelling the present certificates of stock and issuing new ones upon the ratio of one to four, so that hereafter the par value of said stock shall be fifty dollars per share.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 10.

A N A C T

To change the place of holding the Elections in the township of Jenks, in the county of Forest.

WHEREAS, The person at whose house the elections were formerly held for the township of Jenks, in the county of Forest, has removed therefrom, and the judges and inspectors of elections for said township have received notice that under no circumstances will the present owner and occupant permit the holding of elections at the house formerly occupied by the said Hon. Cyrus Blood, and said notice having been given at a period too late to bring the matter before the court, as no term intervened before the spring election ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the township of Jenks, county of Forest, shall hereafter hold their general, special and township elections at the court house in Marien, in said township.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 11.

A N A C T

To change the time of holding Township Elections in the county of Forest.

WHEREAS, The time fixed by law for holding township elections in the county of Forest, is upon the fourth Monday of February, which is the week for holding the February term of the county court, consequently preventing many of the electors of said county from attending both :

And whereas, An appeal to the said court for a change of time would deprive said electors of that privilege on the fourth Monday of February ensuing ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the county of Forest shall hereafter hold their township elections on the first Monday in February, in each year.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 12.

A N A C T

To enable the county of Warren to effect certain Compromises.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Warren shall have power to issue bonds of the county, or orders on the treasurer thereof, in such sums as may be agreed upon, not exceeding in all twenty per cent. of the amount still due and unpaid on their subscription to the stock of the Sunbury and Erie railroad company, and to deliver them to any person or persons who shall assume the payment of the balance due on the said subscription, and obtain a release to the county from further liability for the same; and a transfer of said stock on the books of the company shall be deemed a release of the county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

LAWS OF PENNSYLVANIA,

No. 13.

A N A C T

To incorporate the Allegheny Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas M. Howe, James B. Murray, C. G. Hussey, Harvey Childs, W. M. Lyon, J. D. M'Cord, Isaac M. Pennock, Isaac Jones, George W. Jackson, John A. Wilson, George R. White, Allan Kramer, A. M. Wallingford, Robert Berr, R. B. Sterling, James Laughlin, Alexander Speer, Robert Patrick, George W. Cass, M. W. Watson and D. M. Book are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name and title of the Allegheny insurance company, to be located in the city of Pittsburg, with a capital of one hundred thousand dollars, with a right to increase the same to three hundred thousand dollars, to be divided into shares of fifty dollars each, which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first clause in the seventh section of said act, as embraced in the first class.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 14.

A N A C T

To authorize the Court of Common Pleas of Union county to appoint a Trustee to receive and apply certain money bequeathed by John Brown, deceased.

WHEREAS, John Brown, of Hartley township, Union county, deceased, by a testamentary direction ordered that one-fourth

part of his real estate should be applied to the use of a certain school, the interest thereof to be annually paid to the trustees of the school district, &c.:

And whereas, Under existing laws school trustees are unknown, and consequently there is no one legally empowered to receive and apply the bequest, and a large fund having accumulated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said court of common pleas of Union county be and is hereby empowered and authorized to appoint a competent and worthy trustee to demand, receive and apply the money aforesaid for the purpose aforesaid, and to refund to the executors out of the trust money, the expenses herewith connected; and if deemed necessary, the said court may, from time to time, appoint a trustee to carry out and perform the trust aforesaid, which fund and trustee shall at all times hereafter be under and subject to the control and direction of the said court: *Provided,* That the trustee so appointed shall be required to file his bond, with approved security in such sum as said court may direct, conditioned for the faithful application of trust fund.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 15.

AN ACT

Changing the time of holding the Spring Election in the borough of Titusville, Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for constables and other borough officers in the borough of Titusville, Crawford county, shall be held on the second Friday of February, Anno Domini one thousand eight hundred and fifty-nine, and on the second Friday of February,

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annually, hereafter; and so much of any law as is inconsistent herewith, is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 16.

A SUPPLEMENT

To an act, entitled “An Act to incorporate the Spinnerstown and Goshenhoppen Turnpike Road Company,” approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Spinnerstown and Goshenhoppen turnpike road company shall hold their annual election for officers for said company, on the second Monday of November in each and every year after the passage of this act, instead of the first Monday of November, as now provided by law.

Elections, when held

When tolls may be received.

SECTION 2. That when said company shall have completed their road from the point of commencement of the same at the Quakertown and Spinnerstown road, at Spinnerstown, one mile and a half or more, the same proceedings shall be had thereon as if they had constructed five miles of said road, and shall have power to collect and receive tolls on the same.

May borrow money

SECTION 3. That the president and managers of said company be and they are hereby authorized to borrow any sum of money not exceeding fifteen hundred dollars, for the purpose of completing the said road, at an interest not exceeding five per cent., and to secure the money so borrowed by bond or bonds of said company, and a judgment and mortgage upon its property.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 17.

A N A C T

Supplemental to the several acts relating to the Collection of Taxes in Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where any constable or collector duly appointed to collect outstanding taxes, in said county, agreeably to an act of assembly passed the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act to reduce the expenses of collecting state and county taxes in the county of Venango," and for other purposes, and its several supplements, shall die, leave the county, or in any way become disqualified to collect the taxes of the proper township, then it shall be the duty of the county treasurer to direct the warrant, with the schedule or duplicate issued to such constable, to be returned to the office of the county treasury; whereupon the treasurer shall make out a correct list of all unpaid and outstanding taxes in said township, as appears from the schedule or duplicate so returned, which revised schedule or duplicate, together with a proper warrant, he shall put into the hands of the acting constable of said township, whose duty it shall be to proceed forthwith and collect said outstanding taxes, and pay the same over to the treasurer of the county within four months from time such duplicate is placed in his hands: *Provided*, That nothing in this section shall be so construed, or in any way taken to release the sureties of any constable or collector who may have died, left the county, or in any other way become disqualified as aforesaid.

Outstanding taxes, how collected in case a collector becomes disqualified

Proviso.

SECTION 2. That it shall be the duty of the county treasurer before delivering the warrant and schedule, or duplicate of unpaid taxes, to any constable or collector as provided in the first section of this act, to require of such constable or collector a bond with sufficient sureties, conditioned that he will diligently perform the duties of collector as authorized in the warrant for collecting said outstanding taxes, and that he will return to the treasurer all moneys collected by him, together with a true and faithful account of such collections, within four months from the time the warrant and schedule, or duplicate, is paid into his hands as aforesaid, which bond shall be approved by the county commissioners: *Provided*, That if the acting constable of the proper township refuses or neglects to qualify himself as aforesaid, then the county commissioners shall appoint some suitable person to collect said taxes, in which case said collector shall in all respects be governed by the provisions of this act, the same as if he were the acting constable of the township.

Duty of county treasurer.

Proviso.

SECTION 3. That all taxes collected under the provisions of this act shall be placed to the credit of the constable or collector first charged with the same: *Provided*, That it shall be the duty of

Who to be credited with taxes collected.

Proviso

the county treasurer, in all cases where the constable or collector first charged with the taxes of any township shall not have settled his account within the four months, according to the provisions of the act of assembly to which this is a supplement, to sue and have judgment entered against the sureties of such constable and collector as required by said act; but in all cases where a warrant, with a revised schedule or duplicate, has been placed in the hands of any person for collection under the provisions of this act, and after judgment entered against the sureties of the constable or collector first charged as aforesaid, then all further proceedings against said sureties shall be stayed until the expiration of the four months herein provided for the collection of the outstanding taxes, when the treasurer, without any further delay, shall collect from the sureties against whom judgment has been obtained, the whole amount of taxes then outstanding and unpaid: *And provided further*, That the penalty of twelve per centum shall not be required of said sureties during the period of the stay herein provided.

Proviso

Duty of constable or collector.

SECTION 4. That in all cases where any constable or collector shall receive a warrant with a revised schedule or duplicate, according to the provisions of this act, and shall fail or neglect to collect the outstanding taxes as shown by such schedule or duplicate, and pay the money as herein required, then it shall be lawful for suit to be brought on the bond of such constable or collector, for the use of the sureties of the constable or collector first charged with the unpaid taxes of the township, which suit may be prosecuted without delay; and if judgment is entered, there shall be no stay of execution or other stay: *Provided*, That in all cases where taxes are charged on the revised schedule or duplicate, and the person against whom they are charged shall have a receipt showing that said taxes were paid to the proper officer, then it shall be lawful to take up said receipt and to give the party holding the same another; and all receipts thus taken up and returned to the county treasurer shall be accounted to the collector as so much money collected by him.

Proviso

Compensation for collecting taxes.

SECTION 5. That all persons collecting taxes under the provisions of this act, shall be allowed the same compensation as constables are now allowed by law for the same.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 18.

A N A C T

Repealing an act changing the venue of a certain Action from Union to Northumberland county, approved April thirteenth, one thousand eight hundred and fifty-eight.

WHEREAS, The following named act failed to receive the approval of the Senate, but by mistake of some officer of the Senate was placed in the hands of the executive, and was signed by him as having passed both branches of the legislature; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, entitled "An Act changing the venue of a certain action from Union to Northumberland county," approved April thirteenth, one thousand eight hundred and fifty-eight, be and the same is hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 19.

A FURTHER SUPPLEMENT

To an act to incorporate the Tyrone and Lock Haven Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Tyrone and Lock Haven railroad company be and the same are hereby authorized to borrow any sum or sums of money not exceeding five hundred thousand dollars, and issue their bonds therefor, at such rates of interest and in such sums and terms of payment as the said company may deem expedient, and may secure the payment of the said bonds by mortgaging the whole or any part of their property, whether real or personal: Pro-*

May borrow
money.

LAWS OF PENNSYLVANIA,

vided, That no bond shall be issued for a less denomination than one hundred dollars.

Name amended. SECTION 2. That the name of the title of the supplement, and the name wherever it occurs in said supplement to the act to incorporate the Lock Haven and Tyrone railroad company, approved the fourth day of May, one thousand eight hundred and fifty-seven, be amended so as to read "The Tyrone and Lock Haven railroad company."

Repeal. SECTION 3. That the seventh section of the act incorporating the Tyrone and Lock Haven railroad company, approved the twenty-first day of February, one thousand eight hundred and fifty-seven, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 20.

A N A C T

To change the place of holding the General, Special and Township Elections for the township of West Branch, in the county of Potter.

WHEREAS, The house in which the elections were held, in the township of West Branch, in the county of Potter, has become vacant and the elections can no longer be held there: *And whereas*, The elections in said township are to be held on the third Friday in February next, which will be before any court will be holden for said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the general, special and township elections for the township of West Branch, in the county of Potter, shall be held at the house of S. M. Conable, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 21.

AN ACT

To incorporate The Presbyterian Church of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a corporation is hereby created under the name, style and title Name. of The Presbyterian church of Harrisburg, with the right to use a common seal, to receive and hold by gift, grant or devise, an estate not exceeding the sum of six thousand dollars yearly, to sue and to be sued in any court of this commonwealth, and to be governed by the following general provisions:

ARTICLE I.

The name, style and title of said corporation shall be The Presbyterian church of Harrisburg, and be in connection with Style and privileges. the general assembly of the Presbyterian church in the United States of America, which met in New Orleans, on the sixth day of May, Anno Domini one thousand eight hundred and fifty-eight, and by the same name, style and title, it shall have perpetual succession, and be entitled to all the rights, privileges and immunities, and be subject to all the provisions and limitations contained in the several acts of assembly of this commonwealth, in such cases made and provided: *Provided,* That all property Provided. taken and held by said corporation, under and by authority of the provisions of said acts, shall be taken or held and inure subject to the control of the lay members of said congregation, or such officers thereof as shall be composed of a majority of lay members, citizens of Pennsylvania, having a controlling power.

ARTICLE II.

The board of trustees of this congregation shall consist of seven members, to be elected from those who contribute to the support of the church, as provided in article four of this charter. Their term of office shall be three years, but any person not otherwise disqualified, may be re-elected. The annual election for trustees shall be held on the first Tuesday in May in each and every year; notice of which shall be given in the mode prescribed for calling congregational meetings, in article third. Seven trustees shall be elected on the first Tuesday of May, one thousand eight hundred and sixty-one; three to serve for one year, two for two years and two for three years. On each and every first Tuesday of May thereafter two trustees shall be elected, except that on the first Tuesday of May, one thousand eight hundred and sixty-one, and the same day in every third year thereafter, three shall be elected. After the first Tuesday in May, one thousand eight hundred and sixty-one, at least four

Election of trustees and terms of office.

Vacancies.

members of the board shall be members in full communion with the church. If from any cause there shall be no election on the regular day in any year, this charter shall not thereby be forfeited, but the trustees whose term would then have expired, shall hold office until their successors are elected, which shall be done within sixty days thereafter, at a congregational meeting called as provided in article third. The board shall have power to fill all vacancies occurring in their number by death, removal or otherwise, by electing persons qualified to serve for the unexpired term left vacant, due notice of such election having first been given to every member of the board. A majority shall constitute a quorum.

ARTICLE III.

Powers of trustees.

The board of trustees shall have power to make such by-laws for their own government, as are not inconsistent with this charter, or with the Confession of Faith and form of church government of the Presbyterian church in the United States of America. They shall have power to elect a treasurer of the congregation, who need not be a member of the board. They shall not have power to expend in any one year more than three hundred dollars, without the consent of a majority of the legal voters of the congregation, who may be present at a congregational meeting regularly called. They shall call congregational meetings at their own discretion, or on the written request of any six persons entitled to vote at such meeting, which shall be done by giving notice of the time, place and object of the same, on the two Sabbaths immediately preceding the day fixed for said meeting, to the congregation, in their usual place of worship.

ARTICLE IV.

Votes.

All regular worshipers in this church, who have held a pew, or part of a pew, for six months immediately preceding the date of any meeting, by the payment of an annual rent of not less than two dollars, into the treasury of the church, and shall not be six months in arrears, shall be entitled to vote for trustees, pastor, and on all other questions not affecting the purely ecclesiastical affairs of the church; but all communicant members of the church shall be entitled to vote for elders or deacons, or on purely ecclesiastical questions.

ARTICLE V.

By-laws.

The by-laws shall not be changed except by the concurrence of two-thirds of the regular voters present at a congregational meeting, called as provided for in article third; and in order to carry this charter into effect, and to serve until their successors are elected, James M'Cormick, A. B. Warford, Charles C. Rawn, E. M. Pollock, A. Boyd Hamilton, Joseph Casey and J. Donald Cameron shall be, and they are hereby declared to be trustees, to hold office until the first Tuesday in May, one thousand eight hundred and sixty-one, with like privileges, powers and duties as if elected under this charter.

Trustees.

SECTION 2. That the legislature reserve the right to repeal or Repeal.
revoke this charter, under the provisions of the constitution.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one
thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 22.

A N A C T

To confirm the title to a certain lot, late the estate of Arthur Howell,
deceased.

WHEREAS, William Penn, by letters patent, dated the twenty-
ninth of fourth month, one thousand six hundred and eighty-
four, granted to Elizabeth Smith, in fee, the premises herein-
after described:

And whereas, The late Arthur Howell was in possession, by
his tenants, of said premises, using and claiming, and paying
the taxes thereupon, as his own estate, as far back as the memory
of the oldest living witnesses will go, that is to a period several
years previous to the commencement of the present century,
whereby his title is indefeasible by all persons, except it might
be a claim by the commonwealth by the limitations in the act of
tenth of April, one thousand seven hundred and eighty-one:

And whereas, It is obstructive of the improvement of said
property that any possible doubt should remain upon the title:
therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same,* That
all claim of the commonwealth of Pennsylvania unto all that lot
at the north-west corner of Filbert street and Nineteenth street,
on the former street one hundred feet by one hundred and
twenty-six feet on the latter, in the city of Philadelphia, be and
hereby is released unto the present heirs, devisees or owners
claiming of right under the said Arthur Howell, deceased, or
their grantees.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The second day of February, Anno Domini one
thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 23.

A N A C T

Relative to recording a certain Ordinance of the city of Allegheny.

WHEREAS, The councils of the city of Allegheny, on the twenty-first day of June, A. D. eighteen hundred and fifty-five, passed an ordinance authorizing the grading and paving of East, Middle, West, First, Second and Third streets, in said city, and in pursuance thereof entered into contracts with sundry persons who have in good faith expended large sums of money in completing said grading and paving, a large portion of which sums remains due and uncollected; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the omission or failure to record said ordinance, shall not impair or in any manner affect said contracts, or any assessment, tax, lien, or claim for the cost of grading and paving done, or to be done, in pursuance of, and in accordance with, the provisions of said ordinance; and the said city, or any party interested therein, may proceed to enforce said contracts, and prosecute and collect said assessments, liens or claims, in the same manner and with like effect as they might or could have done, if said ordinance had been duly recorded within thirty days after the passage thereof: *Provided,* That said ordinance shall be recorded in the recorder's office in Allegheny county, within twenty days after the passage of this act.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 24.

A N A C T

In relation to the Railroad between Chambersburg and Hagerstown.

Preamble.

WHEREAS, Under certain acts of the general assemblies of the states of Pennsylvania and Maryland, the railroad running from Chambersburg, in the state of Pennsylvania, to Hagerstown, in

the state of Maryland, together with its franchises, hath been sold to Andrew J. Jones and James J. Dull, who are about to organize a company for the purpose of re-laying the track of said road with a heavy iron rail, so as to adapt the same for the use of steam power, and for the purpose of fully complying with the provisions of the acts authorizing the aforesaid sales:

And whereas, The act of the state of Maryland gives to the purchasers corporate powers, under the name of the Franklin railroad company:

And whereas, It is desirable that the name of the company shall be the same in both states; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the railroad company heretofore known as the Chambersburg, Green Castle and Hagerstown railroad Style. company, shall be and the same is hereby changed to the Franklin railroad company.

SECTION 2. That the capital stock of the said company shall be three hundred and sixty thousand dollars, to be divided into shares of fifty dollars each, to be distributed among the aforesaid purchasers and their associates, in such manner and upon such terms as may be agreed upon by them. Capital stock.

SECTION 3. That after the full amount of the said capital stock has been distributed or subscribed for, and a certificate to that effect, under the hands and seals of the subscribers, shall have been filed in the office of the secretary of the commonwealth, the governor shall issue letters patent to the subscribers, making them and such persons as may thereafter become the owners of said capital stock, or any part thereof, a body corporate, under the name of the Franklin railroad company, with all the rights, privileges and franchises bestowed upon, and subject to all the restrictions imposed upon the Franklin railroad company, the Chambersburg and Hagerstown railroad company, and the Chambersburg, Green Castle and Hagerstown railroad company, except such as have heretofore been repealed or are inconsistent with the provisions of this act. Letters patent, when to issue. Subject to.

SECTION 4. That the said company, after its organization, may receive from the holders of the legal title, a conveyance of the said railroad, its privileges and franchises, and may thereupon execute a mortgage thereof to trustees, in the sum of two hundred thousand dollars, and issue bonds secured by said mortgage, in sums not less than one hundred dollars, at a rate of interest not exceeding seven per centum per annum, payable semi-annually, and may sell and dispose of the same at such price as the board of directors may determine upon. When conveyance to be received and mortgage executed.

SECTION 5. That the office of said company shall be kept at Harrisburg. The board of directors to consist of the number of eleven, shall be elected, together with the president, who shall be one of the directors, by the stockholders in person or proxy; each share of stock to entitle the holder thereof to one vote. The first election for president and directors may be held in the city of Philadelphia, at such time as may be fixed upon in the articles of association, and thereafter the annual election shall be held at such time as may be named in the by-laws, at the Office of company where to be kept. Number and election of directors. First election, where to be held.

Proviso.

office of the company, in the borough of Harrisburg: *Provided*, That this act shall not take effect until James J. Dull and A. J. Jones, owners of said railroad, and Samuel Jones and J. V. Criswell, the sureties in the bond of said named purchasers, shall file their approbation of the provisions of this act, under their hands and seals, in the office of the secretary of state in said commonwealth.

Officers.

SECTION 6. That all other necessary officers of the company shall be elected by the board of directors, and the compensation of the president, and all other officers, shall be fixed by the said board.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The second day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 25.

A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the West Chester and Wilmington Plank Road Company.

Toll

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the West Chester and Wilmington plank road company is hereby authorized to take toll on two and a half miles of said road as soon as the same shall be macadamized, and at the same rates per mile as is now authorized by law to be charged on five miles.

Repeal.

SECTION 2. That so much of all laws, now in force, inconsistent with the foregoing provisions, are hereby repealed, so far as they relate to the said the West Chester and Wilmington plank road company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 26.

A N A C T

To fix the place of holding Elections in Hamlin township, M'Kean county.

WHEREAS, The school house in the township of Hamlin, in the county of M'Kean, at which place the elections for said township were held, has been burned down:

And whereas, There is now no place in said township set apart for holding such elections; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified electors of the township of Hamlin, in the county of M'Kean, shall hold their special and township elections at the school house known as the Aldrich school house, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 27.

A N A C T

To incorporate the Western Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip Lowry, junior, Abraham R. Paul, David B. Paul, John Corporators. A. Wallace, Alexander C. Garvin, Francis B. Smith, James A. Gowl, and all their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Western market company, to have Style. perpetual succession, to be capable in law of suing and being

Powers.	sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, in fee simple or upon ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management, and maintenance of a market house in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with free power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.
Objects and purposes.	SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings, and stalls, with all things necessary for the use thereof, at any place within the limits of the city of Philadelphia; the same to be appropriated and used as a public market house for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, and such other edible as the board of managers may deem proper: <i>Provided</i> , That farmers renting stalls in said markets shall not be prohibited from selling meat or meats in such parts or pieces as they may deem proper. The said market buildings, the stalls or any one or more, or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers shall determine.
Proviso.	
Capital stock.	SECTION 3. That the capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, divided into five hundred shares of five hundred dollars each, and shall be in such form and be issued and transferred in accordance with such by-laws as the said managers may establish.
Government and management.	SECTION 4. That the government and control of the Western market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by a board of seven managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected. They shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number, however occasioned, and shall have the general and entire control of the affairs and interests of the company, and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.
Managers and their election.	
Officers.	
Meeting of stockholders.	SECTION 5. That a general meeting of stockholders shall be held annually on the second Monday of January, for the election of seven managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least three daily newspapers in the city of Philadelphia, and special meetings of the stockholders shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the stockholders, present either in
Notice of meetings.	

person or by proxy, shall severally vote one for each share of stock held by them.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 28.

A FURTHER SUPPLEMENT

To an act to incorporate the Lackawanna and Bloomsburg Railroad Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and directors of the Lackawanna and Bloomsburg railroad company, to borrow any sum of money not exceeding four hundred thousand dollars, to be used and applied in the construction, completion and equipment of the extension of their railroad from Rupert, in the county of Columbia, to Sunbury, in the county of Northumberland, or such other point as, pursuant to existing laws, shall be fixed as the eventual southern terminus of their said railroad; and the said president and directors may issue bonds or certificates of loan, for the amount to be borrowed as aforesaid; no one of which bonds or certificates, however, shall be for a sum less than one hundred dollars; and the said president and directors shall have authority to secure the said bonds or certificates, so to be issued as aforesaid, by a mortgage upon the said extended portion of their railroad, and the property, rights and franchises belonging thereto, upon all of which the said mortgage shall be a first lien: *Provided,* That the rate of interest on the bonds or certificates, to be issued as aforesaid, shall not exceed seven per centum per annum; but no plea of usury shall in any case be interposed against the payment of any bond or certificate, or of any part thereof, to be issued under the authority of this act.

SECTION 2. That it shall be lawful for the said president and directors of the said the Lackawanna and Bloomsburg railroad company, to receive payment for subscription to the capital

May borrow money.

May issue certificates of loan.

To be secured by mortgage.

Proviso.

What may be received in payment for subscription to capital stock.

stock of the said company, and for the first or second mortgage bonds, as well as for the extension mortgage bonds hereby authorized, in coal, pig iron, iron rails and other property and commodities, to be used and applied in construction and equipment, and in payment for construction and equipment of the said company's railroad.

Viewers of damages, how selected. SECTION 3. That viewers of damages to lands appropriated for the purposes of the railroad of said company, shall hereafter, upon the request of either the landholder or the said company, be selected from any county in this commonwealth, beyond the limits of any county, except Luzerne county, in which said railroad is located; but in every case such viewers shall be selected by the judges of the proper court of the county to which application for the view shall be made, or shall be agreed upon by the parties; and in no case shall such viewers be appointed by the sheriff of any county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 29.

A SUPPLEMENT

To an act to incorporate the Williamsport Water Company, and for other purposes, passed the eighteenth day of April, one thousand eight hundred and fifty-three.

Election of officers. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in all elections of president, managers, treasurer and other officers of the Williamsport water company, every stockholder shall be entitled to one vote for every share not exceeding ten shares; for every two shares above ten and not exceeding twenty shares, one vote; for every four shares above twenty and not exceeding forty shares, one vote: *Provided,* That no person shall have more than twenty votes in his own right.

Repeal. SECTION 2. So much of the act of assembly, passed the eighteenth day of April, one thousand eight hundred and fifty-three,

to which this is a supplement, as is inconsistent herewith, is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 30.

SUPPLEMENT

To an act to incorporate the Fayette County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing in the eighth section of the act of the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," shall prevent the Fayette County railroad company from collecting the amount of the shares of stock subscribed for the construction of the said road, at such times and in such instalments as the directors of the said company may require; and all calls for instalments heretofore made, not exceeding ten per cent. on each share, such being the true intent and meaning of the said act of one thousand eight hundred and forty-nine, are hereby declared valid. Subscriptions to stock, how collected.

SECTION 2. That the second proviso in the eighteenth section of the said act of the nineteenth February, one thousand eight hundred and forty-nine, shall not apply to the Fayette County railroad company. Certain act. how applied.

SECTION 3. That the Fayette County railroad company are hereby authorized, a majority of votes at a meeting of the stockholders, called for that purpose, consenting thereto, to extend their road from any point at or near Connellsville, to intersect the Pennsylvania railroad, at or near Greensburg, in the county of Westmoreland; and from and after the decision of the stockholders so to extend their road, the said company shall be called the Fayette and Westmoreland railroad company, and by such name shall succeed to all the rights, privileges and authorities of the Fayette County railroad company: *Provided*, That the existing stockholders shall be credited with the entire receipts for tolls on the road between Uniontown and Connellsville, until Authorized to extend road. Change of name. Proviso.

LAWS OF PENNSYLVANIA,

the completion of the road from Connellsville to its connection with the Pennsylvania road near Greensburg.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 31.

AN ACT

To attach part of Washington Township to the Borough of Edenboro', for school purposes.

Preamble.

WHEREAS, The citizens of the borough of Edenboro' and vicinity, have invested a large amount of money in the erection of Normal school buildings in said borough :

And whereas, The people of said borough of Edenboro' and vicinity, are desirous of attaching so much of the surrounding township, as will furnish the number of pupils required by the provisions of the act of assembly to constitute a model school ; therefore,

Boundaries of
school district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property situated adjacent to the borough of Edenboro', in Washington township, in the county of Erie, beginning at the south-west corner of the said borough of Edenboro' ; thence south along the line of land of H. R. Terry to the Anderson road ; then along the Anderson road to the north line of Crawford county ; thence along the line dividing the counties of Crawford and Erie, to the east line of land owned by John C. Reeder ; thence north along the east line of lands owned by the said John C. Reeder and Samuel Reeder, to the north-east corner of land of Samuel Reeder ; thence west along the line of the said Samuel Reeder, to the south-east corner of land owned by Isaac R. Taylor ; thence north along said land to the south-east corner of tract number four hundred and twenty-six ; thence north along the east line of said tract to the north-east corner of the same ; thence west along the north line of said tract to the south-east corner of the Perry farm ; thence north along the east line of said Perry farm and along the east line of lands of Aaron Lick, deceased, to lands of M. N. Wiley ; thence west

along the north line of lands of Aaron Lick, deceased, and David Tarbell, to the north-west corner of said Tarbell's land; thence north to the south-east corner of land owned by William Proud; thence west along the south line of the lands of the said William Proud to the south-west corner thereof; thence southerly along the margin of Conneaut lake to the north line of the borough of Edenboro', be and the same is hereby annexed to the said borough of Edenboro', for school purposes; and that hereafter the school directors of said borough shall have authority to levy and collect all school taxes that may be assessed on the property within the above described limits.

Annexed to the borough of Edenboro'.

SECTION 2. That the legal voters residing within the bounds of the territory described in the first section of this act, shall be eligible to, and entitled to vote for school directors, at any election of school directors which may be held in the borough of Edenboro', and shall hold and enjoy all the rights and privileges, so far as relates to schools, as fully and perfectly as though residing within the said borough.

Who entitled to vote for school directors.

SECTION 3. That the assessor of county rates in and for the township of Washington, shall immediately after the passage of this act, and at the time of making the regular assessment in each year thereafter, mark the taxables and taxable property included in that portion of said township, annexed by this act to the borough of Edenboro', for school purposes, with the letter E, to signify that they belong, under the terms of this act, to the Edenboro' school district; and it shall be the duty of the county commissioners of said county of Erie, in furnishing to the board of directors of the Edenboro' school district a copy of the last adjusted valuation in and for said borough, to include therein also all the taxables and taxable property in that part of said township of Washington annexed to the borough of Edenboro', and marked with the letter E, as above directed.

Duty of assessor.

Duty of commissioners.

SECTION 4. That it shall be the duty of the county commissioners of the county of Erie, to certify to the state superintendent of common schools, a list of the residents, taxables in the Edenboro' school district, as enlarged by this act, as the basis of distribution of the state appropriation.

Farther duties

SECTION 5. That it shall be the duty of the collector of school taxes of the borough of Edenboro', to collect the taxes assessed for school purposes in the territory described in the first section of this act, and for that purpose he is hereby invested with the same authority, and shall make return thereof as required by law.

Duty of collector of school taxes.

SECTION 6. That so much of the township of Washington as is hereby annexed to the borough of Edenboro', for school purposes, be and the same is hereby exempt from taxation, for school purposes, in the said township of Washington.

Exemption.

SECTION 7. That it shall and may be lawful for the board of directors of said common school district, in case a Normal school be located therein, to make such arrangements from year to year, with the trustees of such Normal school, as may be agreed upon, for the use of the common schools of the district, as model schools for the Normal school: *Provided*, That no injury be done to the common schools: *And provided further*, That the board of directors of the district may annul any such

School directors to make arrangements with trustees of Normal school.

Proviso.

arrangement, whenever in their judgment the interest of common schools require it.

Authority and
privileges of
school directors.

SECTION 8. That the school directors of the borough of Edenboro' shall possess and exercise over the territory described in the first section, and by this act attached to the borough of Edenboro' for school purposes, all the authority, rights and privileges, and be subject to all the restrictions contained in the school laws of this commonwealth, except so far as they are changed by this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 32.

A SUPPLEMENT

To the act relative to the Collection of Taxes in Crawford county, and for other purposes, passed the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "An Act relative to the collection of taxes in Crawford and Lawrence counties; to authorize the commissioners of Erie county to borrow money; relative to a state road in Crawford county; extending the time for the completion of the works of the Centreville water company; and relative to justices of the peace of Bedford county," passed March the twenty-seventh, Anno Domini one thousand eight hundred and fifty-two, as relates to the collection of state and county taxes in the county of Crawford, be and the same is hereby repealed; and that the law in force for the collection of state and county taxes at the time of the passage of the above recited act, shall be and remain in as full force and virtue as though the said act had never been passed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 33.

AN ACT

To require the Register of Wills in and for Luzerne county, to record in a book or books, the appraisements, inventories and vendue lists of personal property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the register of wills in and for the county of Luzerne, shall record in a book or books, for that purpose to be purchased by the commissioners of said county, as other books of record are now by law purchased, the appraisement, inventory and vendue list of personal property, and all inventories and appraisements under the collateral inheritance laws of this commonwealth, of all decedents' estates which shall hereafter be filed in his office; and the said register of wills shall receive the same fees therefor as are now by law allowed for recording deeds in the several counties of this commonwealth, to be charged upon the estates of said decedents, in like manner as other fees in said office are by law chargeable; and such records shall be evidence of matters therein contained, as fully as the original papers would be if produced.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 34.

AN ACT

To authorize the House of Refuge to extinguish a certain Ground Rent.

WHEREAS, By indenture, dated the thirtieth day of September, Anno Domini, one thousand eight hundred and fifty-three, the House of Refuge of the city of Philadelphia did grant and convey unto the Northern Home for friendless children, a certain lot of ground, situate at the north-east corner of Brown

and Twenty-third or Nixon streets, in said city, containing one hundred feet on said Brown street, and extending in depth northward on said Twenty-third or Nixon street, one hundred and fifty feet, nearly adjoining the buildings of the said refuge, reserving out of said lot the yearly ground rent, or sum of one hundred and fifty dollars :

And whereas, In consideration of the relief to be extended to the House of Refuge by the said Northern Home, in the care of a large number of children, for whom the said house had not adequate or suitable accommodations, it was agreed that upon the completion of the buildings of the said Northern Home the said ground rent so reserved, should be released ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the House of Refuge in Philadelphia be and is hereby authorized, by good and sufficient assurances in the law, and in consideration of the premises in the foregoing preamble set forth, and of the sum of one dollar, to release and extinguish forever unto the Northern Home for friendless children, their successors and assigns, the said ground rent or yearly sum of one hundred and fifty dollars, reserved out of the said lot as aforesaid.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 35.

A SUPPLEMENT

To an act to incorporate the Commonwealth Insurance Company of the State of Pennsylvania, passed the thirteenth day of February, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the president and directors of the Commonwealth insurance company of the state of Pennsylvania, to reduce the capital stock of said company from five hundred thousand dollars to two hundred and fifty thousand dollars, to be composed of ten thousand shares of twenty-five dollars each : *Provided,* That before any such reduction shall be made, the

Authorized to reduce capital stock.

Proviso.

written consent thereto of stockholders owning a majority of the stock of said company, shall be filed in the office of said company.

SECTION 2. That so much of the fourth section of said act as Repeal. prohibits the stockholders of said company voting by proxy, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 36.

AN ACT

To repeal the tenth section of the act of the twenty-sixth of April, one thousand eight hundred and fifty-two, entitled "An Act authorizing the laying out of a State Road in Montgomery and Bucks counties; relative to Fishing in certain streams in Potter county, and for other purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the tenth section of the act, approved the twenty-sixth day of April, one thousand eight hundred and fifty-two, entitled "An Act authorizing the laying out of a state road in Montgomery and Bucks counties; relative to fishing in certain streams in Potter county; and authorizing the construction of a bridge over the river Lehigh, at or near Biery mill, in Hanover and South Whitehall townships, Lehigh county; and relating to hawkers and pedlers in Montgomery and Tioga counties; and to Mary Gehr, widow of an old soldier," be and is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

LAWS OF PENNSYLVANIA,

No. 37.

A N A C T

For the relief of Isaac Gulick, Collector of Militia Taxes in Montour county, for the year eighteen hundred and fifty-seven.

WHEREAS, Isaac Gulick, collector of militia tax in the North ward, in the borough of Danville, Montour county, was unable to meet the commissioners of said county, for the purpose of settling his account as collector of said tax, within the period fixed by law, by reason of illness; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Isaac Gulick, collector of the militia tax for the North ward in the borough of Danville, Montour county, for the year eighteen hundred and fifty-seven, may apply to the commissioners of the said county for any exonerations or abatement of said tax, on or before the first day of July next, and it shall be lawful for the commissioners to make any exonerations or abatement of said taxes they shall deem just and equitable.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 38.

A N A C T

Declaring Plunkets Creek, in Lycoming county, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Plunkets creek, a tributary of Loyalsoek, in Lycoming county, from its mouth up to Feronea Falls, on the West Branch, to the Beaver Meadow, on the North Branch, and to the north line of

the Henry Hill tract, on the East Branch, be and the same is hereby declared a public highway.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 39.

A SUPPLEMENT

To sundry acts relating to the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the liens created by an act relating to the city of Pittsburg, approved the twenty-second day of April, in the year of our Lord one thousand eight hundred and fifty-eight, shall be filed in the office of the prothonotary of the district court of Allegheny county, and entered upon the docket of said court, and be proceeded upon by writs of *scire facias*, as provided in the fourteenth section of an act supplementary to an act to incorporate the city of Pittsburg, approved the sixteenth day of May, in the year of our Lord one thousand eight hundred and fifty-seven, and the prothonotary of said court shall tax the same costs thereon as now are by law taxable in mechanics' liens and writs of *scire facias* issued thereon.

Liens created by a certain act, how proceeded upon.

SECTION 2. The mayor, aldermen and citizens of Pittsburg, shall not be liable for costs in any suit in which said corporation may be plaintiff, unless the institution of said suit has been authorized by the mayor or solicitor of said city.

Costs, relative to.

SECTION 3. That so much of an act in relation to fines and forfeitures in Allegheny county, approved the nineteenth day of April, in the year of our Lord one thousand eight hundred and fifty-four, as requires the mayor and aldermen of the city of Pittsburg to furnish to the treasurer of Allegheny county an account of fines and forfeitures imposed by them, is hereby repealed; and all fines and forfeitures imposed for the violation of any ordinance of said city by the mayor or any alderman thereof, (except so much thereof as may be directed by ordinance to be otherwise appropriated,) shall be by them paid into the treasury of said city. And it shall be the duty of said mayor and each of said aldermen to make report monthly, under oath or affirma-

Fines and forfeitures, when to be paid.

LAWS OF PENNSYLVANIA,

tion, to the controller of said city of all fines and forfeitures by either of them imposed or collected for violation of any ordinance of said city.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 40.

A N A C T

Authorizing the Auditor General and State Treasurer to sell the stock belonging to the State, in the Washington and Williamsport Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and are hereby authorized and directed to sell at public or private sale, at their discretion, and at such time and place as they may think proper, and on such terms as they may deem best for the public interest, the stock of the state in the Washington, Williamsport turnpike road company, and whatever sum or sums shall be realized by such sale, shall be paid into the sinking fund provided for the gradual extinguishment of the state debt.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 41.

AN ACT

To allow the Taxables of the Borough of Butler, in Butler county, to pay their Street Tax in labor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall and may be lawful for the taxables of the borough of Butler, in Butler county, at their option, to pay their street tax by working on the streets of said borough, under and by the direction of the street commissioner, or any person whose duty it may be to superintend the payment of said taxes; and any law, ordinance, or parts of the same, inconsistent with the provisions of this act, be and the same are hereby repealed: *Provided,* That this act shall apply to tax now assessed in said borough, as well as that yet to be assessed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 42.

AN ACT

Relating to the Boards of Revision in the several counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall and may be lawful for the several prothonotaries of the courts of common pleas of this commonwealth, or any of the associate judges thereof, to administer to the board

LAWS OF PENNSYLVANIA,

of revision, the oath of office now required by law to be taken before the presidents of the said courts of common pleas.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 43.

AN ACT

Relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, and relative to repairing the roads in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Duty of supervisors for the purpose of opening and making any new road which has been laid out, or which may hereafter be laid out in the township of West Marlborough, in the county of Chester, and for building of bridges in the said township, it shall be the duty of the supervisors of said township, from and after the passage of this act, to lay off said new road or roads into convenient sections, if they shall deem it necessary, to divide it into sections and number them, and enter and describe them in a book to be kept by them for the purpose, to be called the road book of West Marlborough township, in which they shall enter what they deem necessary to be done to such road or sections of road, to open and make the same, or the manner in which bridges shall be built and the materials of which they shall be composed. After which it shall be the duty of the supervisors as aforesaid, to give at least ten days' notice by ten or more handbills put up in as many of the most public places in the said township, designating the time and place where they will sell at public sale, to the lowest and best bidder, the opening and making of such road or roads in sections, one section at a time, or for the building of any bridge as aforesaid; at which time and place it shall be the duty of the supervisors to attend and sell out such road or bridge, as the case may be, to the lowest and best bidder: *Provided,* That such bidder shall give satisfactory security to the supervisors that he will perform the work according to contract.

Proviso

Contracts for
work, relative to.

SECTION 2. That the contract for any work let or sold under the provisions of the preceding section, shall be in writing,

signed by the supervisors and by the contractor or contractors, in duplicate, and a copy thereof retained by each party, and when the work is alleged to be completed the auditors of said township, upon being notified, shall inspect the work and report to the supervisors whether, in their opinion, the work has been performed according to contract, and if they report that it has been so performed, the supervisors shall pay therefor according to said agreement; but if they report that it has not been so performed they shall state wherein it is deficient, and the contractor or contractors shall forthwith proceed to finish and perform said work according to agreement: *Provided*, That if said contractor or contractors shall be dissatisfied with the report of the said auditors, it shall be lawful for such contractor or contractors to make application to the court of quarter sessions of the county, or to any two of the judges of said court, who shall appoint three competent and disinterested persons, not citizens of said township, whose duty it shall be to make inspection of the said work, and report to the said court whether the same has been performed according to contract, which report, when so made and confirmed by the court, shall be binding and conclusive.

SECTION 3. That it shall be lawful for the taxable inhabitants of said township of West Marlborough, at their next election for supervisors of the public roads and highways in the said township, to elect three suitable persons as supervisors, one for one year, one for two years, and one for three years, and one person annually thereafter, to serve for three years, any two of whom shall constitute a quorum to do business, and whose duty it shall be, within fifteen days after their election, and every five years thereafter, to lay off and divide the public roads and highways in said township, into sections not exceeding one mile in length, which they shall number and describe in the road book of said township. They shall also distinctly specify therein what they deem necessary for the improvement and keeping in good repair the said public roads and highways; and when the supervisors shall have so laid off the said roads as aforesaid, they shall, within three days thereafter, give public notice, as provided in the first section of this act, designating the time and place for the taxable inhabitants of said township to meet; at which time and place it shall be the duty of the said supervisors to attend and sell out at public sale, for the term of five years, to the lowest and best bidder, the said roads as described, into sections, one section at a time, according to the terms therein specified, until they are all sold or disposed of, to be kept in repair for the said term of five years: *Provided*, That if any section or sections of said roads shall remain unsold, on account of no bid having been made for the same, it shall be lawful for the said supervisors thereafter to let out such section or sections at private contract: *Provided*, That the said supervisors shall not be directly or indirectly interested in taking or keeping in repair any section or sections so let out as aforesaid: *And provided also*, That not more than one-fifth part of the amount of such sales and contracts shall be paid to the respective purchasers and contractors, in any one year, except in such cases as are hereinafter provided for.

Contractor to
give satisfactory
security

SECTION 4. That any person or persons purchasing or contracting for a section or sections of road as aforesaid, shall write his or their names respectively in the supervisor's book, opposite the section or sections so purchased or contracted for, and also the amount of the purchase or contract price, and if required by the supervisors, shall give satisfactory security to said supervisors, conditioned for the faithful performance of his or their part of the said contract.

Further duties of
contractors.

SECTION 5. That it shall be the duty of the contractors or purchasers as aforesaid, to keep their respective sections in good and substantial repair during the said term of five years, according to the specifications aforesaid, one of which shall be that the bed of the road shall be raised in the middle, and slope gradually each way, to the sides, where ditches or drains shall be kept open of sufficient depth and width to carry off the water; and that all loose stones shall be removed from the road, or covered with earth; and should any person or persons neglect or refuse to make the improvements, or to keep in good repair the section or sections so purchased or contracted for, upon complaint being made to the supervisors, or either of them, it shall be the duty of said supervisors to examine the section or sections so complained of, as soon as practicable, and if they deem the complaint well founded, to give notice to the party or parties complained of, to make the improvements and put his or their section or sections of road in good repair, according to the terms of the contract, within six days thereafter; and if he or they shall neglect or refuse to comply with said notice until the expiration of the said six days, it shall be the duty of the supervisors to have the said section or sections improved or repaired, according to the terms specified in the contract, and the cost of improving or repairing the same shall be recoverable by the supervisors, from such person or persons so neglecting or refusing, or of their sureties, as other debts of equal amount are now recoverable by law, with costs of suit.

Contractors removing out of the township, may dispose of their contracts.

SECTION 6. That it shall be lawful for any purchaser or purchasers, contractor or contractors, who are about to remove out of the township, to dispose of the unexpired time of such purchase or contract, with the consent of the supervisors first to be had to such disposal; and the person or persons to whom such contract or contracts shall be disposed of, shall enter his or their names in the book as aforesaid, and if required, give the security provided for in the fourth section of this act, and be liable to the same penalty for neglect or refusal to keep such section or sections in repair, as is hereinbefore provided in case of a purchaser or contractor. And in case of the death of any contractor, or of his removal from the township, without disposing of such contract as aforesaid, it shall be the duty of the supervisors to sell the unexpired term of such purchase or contract, at public sale, or let on private contract, in the manner and form provided for in the third section of this act; and also to sell out for repairs, any new road which may have been opened after the division into sections, as provided for in said section; such sale to be conducted in the same manner, and the purchasers or contractors thereat to be bound by the same conditions as provided for the original contractor: *Provided*, That

Provide.

the heirs or representatives of any deceased contractor may continue to perform the duties entered into by such contractor or purchaser, and shall receive the same compensation therefor as provided in the original contract: *And provided further,* Proviso. That in case of the death or removal out of the township of any purchaser or contractor, without their contract being disposed of as aforesaid, the supervisors shall pay to the representatives of such deceased contractor, or to persons so removing from the township, such portions of the contract price specified in their respective contracts, as the said supervisors shall believe them justly entitled to.

SECTION 7. That it shall be the duty of the supervisors to inspect all the roads in the said township, at least once in two months; and if they shall at any time find that any of the purchasers or contractors have neglected or refused to keep in good repair, according to their agreement, any section or sections of road purchased or contracted for by him or them, they shall give notice to such purchaser or contractor, as is directed in the fifth section of this act, and in case of neglect or refusal to comply with the said notice, to proceed as directed in said section, to have the roads put in good repair and to enforce payment therefor as therein provided. Supervisors statedly to inspect roads.

SECTION 8. That the supervisors of said township shall be allowed such compensation for their services as the auditors of said township may deem just and equitable. Compensation

SECTION 9. That so much of the laws of this commonwealth relating to roads and highways, as are inconsistent with the provisions of this act, are hereby repealed, so far as relates to the said township of West Marlborough, in the county of Chester. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 44.

A N A C T

Relative to Roads in Salem township, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, 'That*

the first, second, third, fourth, fifth, sixth and seventh sections of the act approved the third day of March, one thousand eight hundred and forty-seven, in relation to the road laws in the township of Lenox, in the county of Susquehanna, be and the same are hereby extended to the township of Salem, Wayne county, and the existing road laws, so far as they are supplied by this act, are hereby repealed in the township aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR ,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 45.

A N A C T

To incorporate the Penn Warehouse Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i>
Name	Andrew C. Craig, Stacey B. Barcroft, Edward G. James, Peter C. Ellmaker, William D. Kelley, James Milliken and John C. Kessler and their associates, and such persons as shall become stockholders, be and the same are hereby made and constituted
Privileges	a body corporate and politic, by the name of the Penn warehouse company of Philadelphia, and by said name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatever, and also of contracting and being contracted with relative to the business and objects of the said corporation, as hereinafter declared; and they and their successors may have a common seal and may change and alter the same at pleasure, and shall have power to purchase, rent or lease such real estate as may be necessary for the purpose of carrying on the business of the company, and in their corporate name to make and execute obligations for the liabilities created in the transactions of the business of the company, and for none other.

Capital	SECTION 2. That the capital stock of the company shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, and may be increased from time to time to not exceeding five hundred thousand dollars, as the directors thereof shall deem necessary, for which certificates shall be issued,
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signed by the president, countersigned by the treasurer, and sealed with the common seal of the company; which certificates shall be transferable at pleasure by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the treasurer, in a book to be kept for that purpose by the company.

SECTION 3. That the said company shall have power and authority to receive for warehousing, goods and merchandize of every sort, kind and description, and to take charge of, and perform the duty of paying duties on bonding, receiving, landing, hauling and delivering all property deposited or intended to be deposited with the said company, to insure the owner or owners of such merchandize, against all loss or damage by fire, in the warehouses occupied by the company, for such an amount, time and price as may be agreed upon between said owner or owners and the company, to make advances upon all goods in the warehouses occupied by the company, at any rate of interest not exceeding six per centum per annum, and at any rate of commission not exceeding two and a half per centum for four months, which may be agreed upon between the parties respectively, and shall have all powers and privileges necessary and convenient to carry the same into effect: *Provided*, That such advances shall be paid in money and not in the notes or acceptances of the company. Powers and privileges.

SECTION 4. That the said company shall have authority to issue certificates to the owner or depositor of any goods stored with them, specifying the character of said goods, the time and place of their deposit, the charge for storage, and the time, rate and amount of insurance; which certificates shall be fully binding upon the company as policies of insurance, according to the terms thereof, as well as receipts for the goods, and shall be transferable by delivery. The interest of the company in the goods for which said certificates may be issued, shall be deemed an insurable interest in all respects, the same as if the said goods were the absolute *bona fide* property of the company; and the company shall have authority to protect said interest by obtaining policies of insurance on goods generally, and without exception, stored in the warehouses occupied by the company, upon such terms as the said company, and those who may issue policies to the said company, may agree upon. Certificates of deposit.

SECTION 5. That said company shall have a lien upon all goods entrusted to them for storage thereof, and all advances, insurances and other charges thereon; and that the goods of any one owner shall be and remain liable for the whole amount of the storage, advances, insurance and other charges due by him, and so that the delivery of a part shall not in anywise affect or impair the lien upon the residue for the whole amount so due. Policies of insurance.

SECTION 6. That when the sum of fifty thousand dollars shall have been subscribed to the said company, and not less than twenty-five thousand dollars paid in in cash, there shall be an election held by the stockholders, for five directors, who shall serve the said company from the time of their election until the first Monday in March thereafter ensuing, on which day and annually thereafter on the first Monday in March, a general Lien.

Election, when to be held.

- meeting of the stockholders shall be held, of which two weeks' public notice shall be given, for the election of five directors, to serve one year; and the said directors shall elect one of their number president, to serve for the same time. At all elections each share of stock shall entitle the holder thereof to one vote; but if such meeting or election shall not then take place, the company shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given, in at least two daily newspapers published in Philadelphia.
- Notice.**
- Votes.**
- By-laws.** SECTION 7. That the board of directors of the said company shall have power to make by-laws not inconsistent with the laws of this commonwealth, and the same to alter, repeal or amend from time to time, and shall keep minutes of their proceedings, and do all such acts and things for the proper regulation and government of the corporation, as they may deem necessary. They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Mondays in March and September, in each year, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.
- Dividends.**
- Individual liability.** SECTION 8. That the stockholders of the said company shall be jointly and severally liable in their individual capacities, for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them respectively, and also for all debts due mechanics, workmen and laborers employed by, and for materials furnished to said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.
- Subject to.**
- Bonus.** SECTION 9. That said company shall pay a bonus to the state of one-half of one per centum on their capital stock as paid in, payable in four equal annual instalments, the first payment to be made within one year from the passage of this act, and shall also pay such tax on dividends as is or may be provided by law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 46.

AN ACT

To amend and extend the charter of the Mutual Fire Insurance Company of Germantown and its vicinity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry S. Mallory, John Stallman, Matthias Haas, John Purcil, Jacob Derr, George W. Smick, Michael Snyder, John Felton, John L. Williams, Wyndham H. Stokes, Benjamin Lehman, Henry K. Paul, Charles Treickle, and such other persons as are or may be associated with them under the authority of this act, being citizens of the townships of Germantown, Bristol and Roxborough, in Philadelphia county, their successors or assigns, are hereby made a corporation by the name of the Mutual fire insurance company of Germantown and its vicinity; and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate. And said corporation shall not hold any property except what may be absolutely necessary for the transaction of their corporate business, and all real estate purchased by said company for the purpose of collecting or securing debts, shall escheat to this commonwealth, unless the same shall have been sold and disposed of and passed *bona fide* from the possession and ownership of said corporation within three years next succeeding such purchase, nor shall any by-laws be repugnant to this instrument, to the constitution of the United States, or this commonwealth.

SECTION 2. That the power of this association shall be vested in thirteen managers, to be chosen by ballot annually on the first Monday of September, at an annual meeting of the company to be held, and each member to be entitled to one vote only, and that no proxy vote shall be given.

SECTION 3. That each insurer in or with said company shall be a member thereof during the term of his or her policy and no longer.

SECTION 4. That general meetings of this company shall be held annually on the first Monday of September, at some convenient place, and also whenever called by the board of managers, or whenever requested by twenty members; and the members shall at such general meetings pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, or vest the power so to do in the board of managers, and all elections shall be by ballot, each member entitled to one vote; the said election to be conducted by three judges chosen by the members present for that purpose, who shall certify under their hands the result of said election, and the same shall be filed with the papers of the corporation. The managers, for the time being, shall choose from among their own members one to be president, and shall, from time to time, as it

Officers.

may be necessary, choose a treasurer, also, appoint a secretary and such other agents and officers as may be necessary, and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned as may be deemed necessary, or the interest of the company may require, and shall have full power to suspend, remove or displace any such officer or agent of the company, and to supply any such vacancy which may happen by death, removal or resignation from among their own members, until the next election; and shall procure a book or books wherein shall be fairly and legibly entered all the transactions of said board of managers, which books shall at all times be open for the inspection of the members of said corporation, and a copy or copies thereof signed by the president, and attested by the secretary for the time being, shall be deemed and taken for legal evidence against the said corporation as the transactions of said board of managers, a copy of which shall be furnished at the request of any member; and said officers shall, at the annual meetings of the members, present to the company a general and detailed statement of its affairs.

Vacancies.

Insurances.

SECTION 5. That the president and managers shall have full power, on behalf of said corporation, to make insurances against losses by fire on any house, tenement, manufactory, barn or other buildings, and on goods, wares, merchandize and effects, and household furniture therein, and on hay, grain and other agricultural products in barns, stacks or otherwise, and generally on all kinds of goods, wares and merchandize, and effects, except books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings, powder and powder mills, distilleries, print-works, cotton, woolen and varnish manufactories, to make, execute and perfect such or so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary, and as the nature of the case shall or may require; and every such contract, agreement and policy to be made by the said corporation, signed by the president and attested and signed by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made and to procure a seal with such device as they may deem proper, to be used by them as the common official seal of the company.

Seal.

Moneys, how to be employed.

SECTION 6. That it shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof, in purchase of any ground rents or mortgages, or in any loans or stocks of the United States, or of this commonwealth, and no money shall be drawn from the funds of the said company for the purpose of making dividends or dividing profits, nor for other purposes than first to defray the current or incidental charges of the corporation, and then for the purpose of paying such damages as any member of said company or insurer may be justly entitled to; and when the just demand of any insurer in said company or member thereof shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same shall, without unnecessary delay, be assessed by any three of the managers appointed by the president on the insurances, each member to pay in proportion to the amount he has insured, and publish the same. And all and every of the

Damages.

Assessments.

members of the company shall pay into the hands of the treasurer his, her or their proportionable parts of such rates within sixty days after such publication as aforesaid, and in default thereof shall be proceeded against according to the provisions of this act.

SECTION 7. That every person who shall become a member of said corporation by effecting insurance therein, on any house, tenement, manufactory, barn or other building, for a longer term than one year, shall, before receiving his, her or their policy, deposit for such insurance, his, her or their promissory note, for such a sum of money as shall be determined by the directors, a part not exceeding ten per centum of said note, to be immediately paid; and annually an interest as may be fixed upon by the board of managers of said corporation, not exceeding six per centum on the balance, to be paid within ten days after the same shall become due; and the remainder of said deposit note shall be payable in part or the whole, when the directors shall deem the same requisite for the payment of losses by fire, and such incidental expenses as shall be necessary for the transacting the business of said corporation; and at the expiration of the time of insurance, the said note, or such part of the same as shall remain unpaid after deducting all losses and expenses during said term, shall be relinquished and given up to the maker thereof; and said company shall have a lien in the nature of a judgment, waiving the right of inquisition upon all property so insured, to the amount of the deposit note of the assured, or so much thereof as may be unpaid; which shall continue till the amount of such note, with interest and costs of execution, if any shall have been paid or satisfied, according to the provisions of this act: *Provided*, That said company shall file in the office of the prothonotary of the county wherein such real estate shall be, a memorandum of the name of the individual insured, a description of the property, the amount of the deposit note unpaid, and the term for which the insurance shall continue; and the same when so entered, shall be deemed and taken to be in all respects as a judgment entered upon confession, by virtue of a warrant of attorney, and execution may at any time be had thereon, for so much as by virtue of the provisions of this act may be due and demandable; but the lien thereof shall commence with the filing of the memorandum in the office of the prothonotary, or in default of payment the directors may declare the policy forfeited: *Provided*, That nothing herein contained shall be construed to prevent the insured from depositing the whole amount of his, her or their premium, subject to the same regulations and restrictions in the deposit note: *Provided further*, That the lien shall not be construed to take from such person, insured as aforesaid, the privilege of a freeholder.

Insurances, relative to.

Lien.

Proviso.

Proviso.

Proviso.

SECTION 8. That all and every of the members of this company, who shall sustain any loss by fire, shall give notice in writing, within thirty days, to the president or secretary of said company, who shall appoint a committee of three from the board of managers, who shall examine and assess said damages and report the same to the board of managers, within two weeks from the time of their receiving information of their ap-

Notice of loss to be given.

Provision for
payable to losses

pointment. The said managers shall, with all convenient expedition, immediately after receiving said report and ascertaining the sum which said parties shall be lawfully entitled to, make provisions and payment as herein is specified.

Rates of insu-
rance, &c.

SECTION 9. That the members shall at their general meetings, fix such rates of insurance and incidental charges and fees as may be deemed equitable and proper, or vest the power so to do, in the board of managers; and any person who shall become a member of this corporation by effecting insurance therein, shall, before he or she receives his or her policy, pay the rates that shall be fixed and determined upon; and no premium so paid, shall ever be withdrawn from said company during the continuance of its charter.

Assigning of in-
surance, relative
to

SECTION 10. That in case any assured named in any policy or contract of insurance made by said corporation, shall sell, convey or assign the subject insured, it shall be lawful for such assured to assign and deliver to the purchaser or assignee, such policy or contract of insurance; and such assignee shall have all the benefits of the policy or contract of insurance, and may bring and maintain a suit in his, her or their name: *Provided*, That within thirty days, and before any loss happens, he, she or they shall obtain the consent of the president or secretary, to such assignment, and have the same indorsed on, or annexed to such policy or contract of insurance, to be according to the aforesaid directions for that purpose, and not otherwise; and in case of the transfer of a policy or contract of insurance, as collateral, the amount of the note shall be deposited with the corporation.

Proviso.

Profits, how ap-
plied.

SECTION 11. That the net profits arising from interest or otherwise, shall be ascertained yearly, on every policy, and each member shall have a credit for the same, upon each and every of his, her or their policies, after deducting the necessary expenses of the company; and when the said profit shall amount to the original premium agreed upon at the time of insurance, the judgment note shall be cancelled and the annual interest cease thereon; and all members who shall have paid their premium notes, shall be entitled to receive from the company the amount so paid upon his, her or their premium notes, and the net profit, after the said premium notes are liquidated and paid, shall be paid in scrip, to be issued in sums of not less than five dollars, and without any fractional part of five dollars to each member; which scrip shall be redeemable by the company as so much cash, in the payment of new insurances; nothing in this charter to be construed so as to allow any of the funds of the association to be used for banking or manufacturing purposes.

Repeal.

SECTION 12. That if at any time it shall appear that the chartered privileges hereby granted, are injurious to the public welfare, the power thereof to repeal, shall not affect any engagement to which the said company may have become a party previously thereto; and that the said company shall have a reasonable time to bring their accounts to a final settlement.

First managers.

SECTION 13. That the first thirteen named persons in this bill to constitute the first board of managers, with power to organize the corporation and appoint a president and other officers and agents, agreeably to the spirit of this act, and to hold their

power and authority until the next election, as is herein provided, with all the powers contemplated to be vested in the board of managers elected by the company under the authority of this act.

SECTION 14. That no policy shall be issued by the corpora- Policies, when tion until application be made for insurance to the amount of issued. one hundred thousand dollars.

SECTION 15. That suits of law may be prosecuted and main- Who may prose- tained by any member, against the corporation, for losses or cute at law. damage insured by them, if payment is withheld more than ninety days after the company is duly notified of such losses.

SECTION 16. That this corporation shall confine its business Business, where within the counties of Philadelphia, Montgomery and Bucks. to be transacted

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 47.

SUPPLEMENT

To the Charter incorporating the Borough of Allentown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* It shall be lawful for said burgess and town council to borrow money for the use of the borough, not exceeding in the whole five dollars on every hundred dollars of the assessed value of the real and personal estate in the borough, as assessed for county purposes, and to issue certificates therefor for any sum not less than one hundred dollars, bearing interest not exceeding six per cent. per annum: *Provided,* That the same shall not be disposed of at less than par value: *And provided further,* That such loan shall be subject only to the payment of state taxes.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 48.

A SUPPLEMENT

To an act approved April third, one thousand eight hundred and fifty-one, entitled "An Act regulating Boroughs," so far as relates to the borough of Phoenixville.

Bounds and
limits.

Proviso.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Phoenixville, in the county of Chester, shall be bounded and limited as laid down on the plot of said borough, made and approved by the burgess and town council of the borough of Phoenixville, in the month of August, Anno Domini one thousand eight hundred and fifty-six: *Provided,* That the authorities of the said borough shall have no power to open streets upon any part of the land lying east of Main street, between Bridge street and the canal leading from the French creek dam to the river Schuylkill; nor shall they have any authority to interfere with the said dam, or with the water rights of private individuals, without the consent of the owners thereof: *Provided further,* That the borough authorities shall not be liable to keep any streets, now open within said limits, in repair.

Election of coun-
cilmembers.

Divided into
three classes.

Vacancies.

Authorized to
borrow money.

Proviso.

SECTION 2. That the citizens of the borough of Phoenixville entitled to vote as specified in section sixteen of act of assembly, passed April third, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," shall, at their election in March, Anno Domini one thousand eight hundred and fifty-nine, or within sixty days after the passage of this act, giving the usual notice of the election, elect nine councilmen, who shall, at their first meeting after said election, divide themselves by lot into three classes; the first class to serve one year, the second class to serve two years, and the third class to serve three years; and annually thereafter, on the third Friday in March, they shall elect one burgess to serve one year, and three town councilmen to serve three years, and one high constable to serve one year. In case of death, resignation, removal, refusal to accept, or neglect or refusal to act after acceptance, of any of the above or other borough officers, the burgess, or in case of his death or absence, or inability to act, or when he refuses to act, the president of the town council shall issue a precept, directed to the high constable; or when he refuses or neglects to act, then any of the members of the town council may advertise and hold an election to supply such vacancy.

SECTION 3. That the burgess and town council of the borough of Phoenixville be and are hereby authorized to borrow, on the faith and credit of the said borough, such sum or sums of money as may be necessary to procure a lot of ground, and erect thereon a market house, not exceeding in amount ten thousand dollars: *Provided,* That the burgess and town council may,

should they see proper to do so, erect over said market house a town hall. The rents and other income accruing from the said market house and town hall, if erected, shall first be applied to the payment of interest on the principal so expended in the erection of said market house and town hall, and the surplus shall be alone appropriated to a sinking fund for the liquidation of the said principal so borrowed: *Provided*, That it shall not be lawful for any subsequent burgess and town council, by ordinance or otherwise, to divert any of the rents, surplus or other income of the said market house or town hall, from the purposes mentioned in this act, until the said debt and interest shall have been liquidated. Proviso.

SECTION 4. That the act approved March sixth, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act to erect Phœnixville, in Chester county, into a borough," be and the same is hereby repealed. Repeal.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 49.

AN ACT

To secure a stricter accountability of Certain Public Officers in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all supervisors of townships, all township, borough and school district treasurers, for both road and school purposes, and all collectors of borough, road and school taxes within the county of Schuylkill, shall, before entering upon the duties of their several offices, file in the office of the clerk of the court of general quarter sessions of the peace in and for said county, bonds with warrants of attorney to confess judgment thereon, in such amounts as the said court of quarter sessions shall direct, and with one or more sufficient sureties, to be approved by said court, conditioned for the faithful performance of the duties of their several offices according to law; and it shall be the duty of the clerk of said court of quarter sessions to file the said bonds among the records of his office, on payment of the usual fee for filing simi- Certain township and borough officers to enter into bonds.

lar papers by the officer by whom said bond is given, there to remain, subject to the order of the court, for the security of said townships, boroughs and school districts, and all others interested in said bonds, whenever legal proceedings shall be necessary thereon.

Yearly settlements to be filed in the office of the court of quarter sessions.

SECTION 2. That hereafter all township and school district auditors in the county of Schuylkill, shall within ten days after making the yearly settlements with the officers of said townships and school districts, file the accounts so audited and settled, together with a list of orders issued and cancelled during the year, stating their number and page on the order register, their date, amount, the name of the payee, and the consideration for said orders, in the office of the clerk of the court of quarter sessions, who shall file the same on payment of the usual fee by said townships and school districts, for the inspection of those interested in said accounts.

When accounts may be revised and re-settled.

SECTION 3. That upon the petition of ten or more tax payers of any township or school district, in said county of Schuylkill, verified by the oath or affirmation of two or more of said petitioners, setting out reasons therefor, the court of common pleas of the said county of Schuylkill shall, in their discretion, upon the sufficiency of the reasons set out in said petition, appoint three or more special auditors to revise, re-state and re-settle any of the accounts filed in the office of the clerk of quarter sessions according to the provisions of the second section of this act; the report of said board of special auditors, when approved by the court, to be final and conclusive; and if any balance shall appear, by said report, to be due to such township or school district from the accounting officer, the said court shall order the enforcement of the payment of such balance, with interest, by judgment upon the official bond of such officer and execution thereupon, which bond shall be removed into the office of the prothonotary of the court of common pleas for the purposes of such judgment and execution.

Report of special auditors to be final.

Neglect of certain duties a misdemeanor.

SECTION 4. That hereafter any county, township, borough or school district officer, within the county of Schuylkill, who shall wilfully neglect or refuse to deliver over to his successor in office, on ten days' notice in writing to that effect from his said successor, any money, books, papers, vouchers, documents or other property belonging to his said office, shall be deemed guilty of a misdemeanor, and on conviction thereof in the court of quarter sessions, shall be sentenced to a fine or imprisonment, or both, at the discretion of the said court.

Penalty.

Moneys wrongfully applied a misdemeanor.

SECTION 5. That any county, borough, township or school district officer within the county of Schuylkill, who shall apply the money or moneys intrusted to his care, to his own use, or shall loan it to others, or in any other manner embezzle it, or any part thereof, shall be deemed guilty of a misdemeanor in office, and on conviction thereof in the court of quarter sessions of said county, shall be sentenced to a fine of not less than one hundred, nor more than one thousand dollars, and shall be imprisoned at the discretion of the court, not exceeding two years.

Penalty.

Collectors of road taxes.

SECTION 6. That hereafter the township treasurers of said county of Schuylkill, shall be the collectors of road taxes in their respective townships, and shall give bond as provided for

in the first section of this act: *Provided*, That no one person shall be eligible to hold more than one township, borough or school district office at one time, except the offices of township treasurer and collector, as herein provided. Proviso.

SECTION 7. That from and after the passage of this act, no money order issued by any supervisor or supervisors of a township, upon any township treasurer within the county of Schuylkill, shall be valid, unless signed by the supervisors, (or supervisor, if there be but one supervisor of said township,) and attested by the township clerk. Every such order shall bear in writing, upon its face, or by an account in writing securely attached thereto, a distinct statement of the consideration for which the same is given; shall be numbered and registered by the township clerk, in a book to be kept by him for that purpose, subject to the inspection of the auditors and tax payers of said township; and the said township clerk shall write upon the face of the said order, "registered," together with the page of the register upon which the same is to be found registered, and sign his name thereto; and no orders issued by any other officers, or in any other manner than herein provided for, shall be paid by the treasurer, or be held valid and binding upon any township. Relative to money orders.

SECTION 8. That any issuing of orders upon any township or school district treasurer, within the county of Schuylkill, with intent to defraud the said township or school district, shall be deemed and held to be a misdemeanor, on the part of the officer or officers making such fraudulent issue, as well as on the part of the person or persons receiving with like fraudulent knowledge and intent; and any such officer or officers, making such fraudulent issue of an order or orders, and any person or persons receiving the same with such fraudulent intent, on conviction thereof in the court of quarter sessions, shall be punished by fine or imprisonment, or both, at the discretion of the said court. Penalty for issuing fraudulent orders.

SECTION 9. That from and after the passage of this act, any supervisor of highways within the county of Schuylkill, who shall furnish teams, wagons, carts, materials, or labor, except his own superintendence as supervisor in the township of which he is supervisor, in the use, sale, or profit of which he is directly or indirectly interested, and shall receive money from the said township therefor, shall be held guilty of a misdemeanor in office, and upon conviction thereof, shall be punished as provided for in the eighth section of this act. Supervisors prevented from furnishing teams, &c.

SECTION 10. That hereafter the supervisors of townships in Schuylkill county, in laying the rates or assessments of taxes, for purposes authorized by law, shall take to their assistance the township auditors, and no rate or assessment for any purposes, shall be made without the approval of said auditors or a majority of them: *Provided*, That where, by connivance between the township officers, a higher rate of tax has been assessed than the objects for which it was assessed reasonably require, it shall be the duty of the court of quarter sessions, on petition, verified by oath or affirmation of at least three tax payers of the proper township, setting out the facts, to revise the said assessments and reduce the same, if in their opinion found necessary. Assessment of taxes, relative to.

Relative to filing
bond

SECTION 11. That in default of the filing of the bond required of any officer, by the provisions of this act, the court of quarter sessions of said county of Schuylkill, at any regular or adjourned session of said court, after the election or appointment of said officer, may declare the said office vacant and appoint a suitable person to fill the said office, who shall give bond as aforesaid.

Construction of
certain sections
of this act.

SECTION 12. That the provisions of the second and third sections of this act, shall be held and construed to apply to all accounts of township and school district officers, which shall not already have been audited and settled previous to the passage of this act, so far as the same are applicable thereto.

Repeal

SECTION 13. That all acts and parts of acts of the general assembly, inconsistent herewith, be and the same are hereby repealed, so far as the same relate to said county of Schuylkill.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 50.

A N A C T

Relating to Sheriff's and Prothonotary's costs in Luzerne county.

Duty of sheriff
relative to cer-
tain writs of exe-
cution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, where any writ of execution shall be issued out of the court of common pleas of Luzerne county, directed to the sheriff of said county, and a sale of real estate shall have been advertised either upon the said writ or upon any previous writ issued upon the same judgment, and the same not sold, and the plaintiff, his agent or attorney, shall order the said writ stayed, in every such case it shall be lawful for the said sheriff to refuse to return the said writ stayed, so far as relates to all unpaid sheriff's and prothonotary's costs, legally taxed on said writ, and unless the said costs be paid by the parties, the said sheriff may proceed with the execution of said writ, so far as to collect the same: *Provided,* That this act shall in no wise affect the rights of the plaintiff to issue subsequent writs for the collection of the judgment and balance of costs.

SECTION 2. That in all cases where the said sheriff shall have in his hands any writ of *capias* in trespass or case, or any sub-pœna in divorce, it shall be lawful for him to demand and receive from the party, his agent or attorney issuing the same, all unpaid sheriff's fees on the same, before he shall be obliged by law to make return thereof. Fees of sheriff in certain cases.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 51.

A N A C T

To authorize the Trustees of the Associate Reformed, now the United Presbyterian Congregation, in the city of Erie, to sell certain property, and to remove the bodies of persons interred therein.

WHEREAS, The Associate Reformed Presbyterian congregation, now the United Presbyterian congregation, in the city of Erie, is now the owner of two certain lots in the city of Erie, numbered in the general plan of said city with the numbers twelve hundred and ninety-eight, and twelve hundred and ninety-nine, which lots have been used by said congregation as a burying ground over forty years:

And whereas, By the increase of population, and by the growth of said city of Erie, the said lots are now in a central part of said city, and well located for residences, or for a city hall:

And whereas, The Erie cemetery has wholly superseded the necessity of burial grounds within the limits of said city, and the remains of the dead are generally removed and being removed from said lots to the cemetery, and the said lots are no longer required for the purpose of a burying ground; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the trustees of the Associate Reformed Presbyterian, or now the United Presbyterian congregation, and their successors in office, in the city of Erie, in the county of Erie, and they are hereby authorized and empowered to sell, or mortgage, or lease said lots in the city of Erie, designated in the general plan of the in-lots in the first section of the borough of Erie, by the numbers twelve hundred and ninety-

eight and twelve hundred and ninety-nine, and situated on the east side of French street, and south of Eighth street, to such person or persons, corporation or corporations as may agree to purchase said lots or any portion of them, and upon such sale or sales to convey the said lots, or such portions and parts when and as often as the said trustees may make sale, to the purchaser or purchasers, by deed or deeds executed under the hands and seals of said trustees or a majority of them, and to be countersigned by the secretary of the said trustees; which deed or deeds shall invest in the purchaser or purchasers all the right and title in and to said lots or parts of lots of the said Associate Reformed, or now United Presbyterian congregation in the city of Erie, in the county of Erie. And it shall be lawful for the said trustees to lease such part or parts of said lots as shall be deemed expedient, to such person or persons, and for such purposes as shall by them be deemed expedient, and the rents, issues and profits of such lease or leases, and the proceeds of such sale or sales, may be applied in such manner and to such purposes, by the said trustees, as shall in their opinion be most beneficial to the said congregation: *Provided*, That before the sale of the said lots, or any part thereof, the dead interred in said lots, or in such part proposed to be sold, shall be removed therefrom and re-interred at the expense of said congregation, in such grave-yard or cemetery as the nearest surviving relatives may designate, near the city of Erie, if said relatives can be found, but if not found, or if they decline to designate any such place, then in the said Erie cemetery, and the tomb stones belonging to such remains shall be set over the same.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, Jr.,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 52.

AN ACT

For the relief of certain Collectors of Taxes in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county commissioners of the county of Washington, be authorized to grant such exonerations as they think just and*

right, to the several collectors of county and state tax in said county, for the year one thousand eight hundred and fifty-eight, as fully as if they had been presented on or before the first of January: *Provided*, All such as claim such relief shall present their claims on or before the first of July, one thousand eight hundred and fifty-nine: *And provided further*, That nothing in this act shall in any wise affect the liability of the county of Washington, to pay to the commonwealth its full quota of tax, as adjusted by the board of revenue commissioners.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 53.

A SUPPLEMENT

To an act incorporating the Railroad Car Spring Company, approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the said Railroad Car Spring company to increase its capital stock by the issue of two thousand shares, at the present par value of twenty-five dollars per share, so as to make the capital stock one hundred thousand dollars, instead of fifty thousand dollars, and to sell and dispose of the same as required. May increase capital stock.

SECTION 2. That the number of directors in said company shall hereafter be nine instead of five, and they shall be annually elected at such times as may be provided for by the by-laws. Number of directors.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 54.

A N A C T

Relative to the distribution of the Geological Survey of the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the secretary of the commonwealth be and he is hereby authorized and directed to furnish to each member of the Senate and House of Representatives, and the chief and assistant clerks thereof, at the present session of the legislature, and to the Farmers' High School, one copy of Rogers's final report of the geological survey of the state: Provided, That no member or clerk shall receive more than one copy thereof, in pursuance of of this or any previous act of the legislature: Provided further, That if there should be in the possession of the secretary of the commonwealth, belonging to the state, a sufficient number of the copies not otherwise disposed of.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 55.

A N A C T

To provide for the erection of a House for the Employment and Support of the Poor of the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
Commissioners. George T. Frazier, Seward E. Miller, Thomas Adams, John Blanding, Harry Barney, Azor Lathrop, Nicholas Du Bois, Philo Sherwood and Albert Chamberlin, be and they are hereby
Their duty. appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of January, Anno Domini one thousand eight hundred and sixty, to determine upon and

purchase such real estate as they shall deem necessary for the accommodation of the poor of Susquehanna county; and it shall be lawful for said commissioners, or a majority of them, to take conveyance therefor, in the name and for the use of the corporation mentioned in the third section of this act, and they shall certify their proceedings therein, under their hands and seals, to the clerk of the court of quarter sessions of Susquehanna county, to be filed in his office; and at the next general election after the acceptance of this act, as hereinafter provided, the qualified electors shall elect three reputable citizens of the said county, to be directors of the poor and of the house of employment for the county of Susquehanna, for the ensuing year; and the judges of the elections of said county shall immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify under their hands and seals, the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing, to the said directors, of their being elected; and the said directors shall meet at the court house in said county, on the fourth Monday of November ensuing their election, and divide themselves by lot into three classes; the place of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year; of the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually: *Provided*, That upon the acceptance of this act, as hereinafter directed, the court of quarter sessions of the county of Susquehanna, shall appoint three directors, to serve until an election for directors shall be held as aforesaid.

Election of directors of the poor.

Certificate of election.

Meeting of directors.

Classification.

Proviso.

SECTION 2. That every director elected in the manner aforesaid, or appointed as is directed by the eleventh section of this act, shall within ten days after he is notified of such election or appointment, and before he enters upon the duties of the said office, take an oath or affirmation, which any justice of the peace of said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation, within the time aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors for the time being, as debts are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer an oath or affirmation, in any case where it shall be necessary, in relation to the duties of the office.

Directors to be sworn.

Penalty for refusing to act.

SECTION 3. That said directors shall forever hereafter, in name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Susquehanna, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of the directors of the poor and of the house of em-

Body politic

Style

Privileges.	ployment for the county of Susquehanna, and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of five thousand dollars, and any goods and chattels, whatsoever, of the gift, alienation or bequest of any person or persons, whatsoever; to purchase, take and hold any lands and tenements, within their county, in fee simple or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the lodging, main-
Treasurer.	tenance and employment of said poor; to appoint a treasurer annually, who shall give bond with full and sufficient surety, for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office, all moneys, bonds, notes, books, accounts and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall have power to employ and at pleasure remove a
Stewards, matron, physicians, &c.	steward or stewards, a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and to bind out ap-
Apprentices.	prentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years; if females, at or before
Proviso.	the age of eighteen years: <i>Provided</i> , That no child shall be bound out for a longer time than until he arrives at the age of
Proviso	eighteen years, unless he be bound out to a trade other than a farmer: <i>Provided also</i> , That no child shall be bound without the limits of the state; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.
Estimate of expenses of land, &c.	SECTION 4. That the said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and buildings, of erecting the necessary building or buildings, and furnishing the same, and maintaining the poor within the said county for one year; whereupon the county commissioners of the said county shall, and they are hereby authorized and re-
County tax may be increased	quired to increase the county tax by one-fourth part of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: <i>Provided always</i> , That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.
Proviso.	
Annual estimate of expenses to be made.	SECTION 5. That it shall be the duty of the said directors, on or before the first day of November, in each and every year, to furnish the commissioners of the said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess,

and cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall at all times submit to the examination and inspection of such visitors as may be appointed by the court of quarter sessions of said county, all their books and accounts, with the rents, interest and moneys payable and receivable by the said corporation, and also, an account of all sales, purchases, donations, devises and bequests, as shall have been made by them or to them. Annual accounts

SECTION 6. That as soon as the said buildings shall have been erected or purchased, and all necessary accommodations provided therein, notice shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Susquehanna, requiring them forthwith to bring the poor of their respective townships to said house of employment, which order the overseers are hereby enjoined and required to comply with, or otherwise to forfeit the cost of all future maintenance, except in cases where by sickness or any other sufficient cause, any poor person cannot be removed; in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal, to the said overseers, directing them to maintain such poor until he or she may be in a situation to be removed, and then to convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with said order; and the charge and expense of such temporary relief, and of such removal, shall be paid by the said directors. Notice to overseers of the poor.

SECTION 7. That the said directors shall, from time to time, receive, provide for, and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the said county of Susquehanna, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Susquehanna, or to the overseers of the proper township in any other county in this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to administer relief to any poor person, or to permit any person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the county of Susquehanna. To receive and provide for the poor.
Proviso.

SECTION 8. That the said directors, or any two of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain such ordinances, rules and regulations as they shall think proper, convenient and necessary for the government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law or any of the other laws of this state, or of the United States: *And provided also*, Quorum
Rules
Proviso
Proviso

That the same shall not have any force or effect until they shall have been submitted to the court of quarter sessions, for the time being, of the county of Susquehanna, and shall have received the approbation of the same.

Meetings.

SECTION 9. That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments, and see that the poor are comfortably supported, and hear all complaints, and redress, or cause to be redressed, all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Pay.

SECTION 10. That the said directors shall each of them receive for their services, annually, the sum of forty dollars, to defray the expenses of their necessary attendance on the duties of their office.

Vacancies.

SECTION 11. That in case of any vacancy by death, resignation or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by the appointment of a citizen of their county, to serve until the next general election, when another director shall be elected to supply such vacancy.

Payment of certain claims.

SECTION 12. That all claims and demands existing at the time of this act being carried into effect, shall have full force and effect, as if this act had not been passed; and when the same may have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the several townships in the county of Susquehanna, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Office of overseer, when to cease.

SECTION 13. That as soon as the poor of the county of Susquehanna shall have been removed to the house of employment for the said county, and the outstanding taxes collected and paid over, the office of overseer of the poor, within the said county, shall from thenceforth be abolished.

Certain powers and duties transferred to supervisors of highways.

SECTION 14. That the powers conferred and the duties imposed on the overseers of the poor in and by an act to empower the overseers and guardians of the poor of the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in said county of Susquehanna, except such as are conferred upon the directors by this act; and the justices of the peace and sheriff within the said county are hereby required to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act for the payment thereof.

Compensation of commissioners.

SECTION 15. That the commissioners of the said county are hereby authorized and empowered to pay to the persons who are appointed commissioners by the first section of this act, each the sum of one dollar and fifty cents per day, for each and every day he shall necessarily spend in the performance of the duties prescribed by the first section of this act; and shall also pay to the said directors a reasonable compensation for their services, during the time they are employed in erecting

any building or buildings aforesaid: *Provided*, That same shall Provide not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

SECTION 16. That so much of the laws of this commonwealth, Repeal. relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Susquehanna.

SECTION 17. That the sheriff of said county shall in due time Duty of sheriff notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act; which place of meeting shall be as near the centre of the county as possible.

SECTION 18. That the qualified electors of the county Susquehanna shall, at the next annual election hereafter, vote on the subject of an acceptance or rejection of this act, by printed or written tickets, having on the outside the words, "poor house," and on the inside, "for a poor house," or "against a poor house;" which vote shall be returned by each election district, in the same manner as the votes for any county officer are returned, and to be counted by the return judges of the county; and if a majority of said votes are cast for a poor house, then this act shall go into effect immediately thereafter. If a majority of said votes shall be against a poor house, then this act shall have no further force or effect whatever. Acceptance or rejection of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 56.

AN ACT

To incorporate the Delaware and Schuylkill Dredging Company.

WHEREAS, Joseph M. Thomas and Edward C. Markley, hav- Preamble. ing by instrument of assignment, dated the twentieth day of November, Anno Domini, one thousand eight hundred and fifty-six, and recorded in the United States patent office. December the thirteenth, Anno Domini one thousand eight hundred and fifty-six, in liber G, four, page ninety-seven, of transfer of patents, acquired title to certain interests in letters patent of the United States, the character of which letters patent, as well as

the said interests, are fully set forth in the said instrument of assignment; and the said Joseph M. Thomas and Edward C. Markley, having formed themselves, together with Michael Magee, George Howell, and other associates, into a company, and together purchased portions of the said interests in the said letters patent, and certain machinery, boats and scows, in conformity to said letters patent, and also a steam tug; therefore,

SECTION 1. *Be it enacted by the Senate and Houses of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said

Corporators.

Name

Powers and ob-
jects.

Joseph M. Thomas, Edward C. Markley, Michael Magee, George Howell, and their associates, be and they are hereby incorporated and made a body politic and corporate, in fact and in law, by the name, style and title of the Delaware and Schuylkill Dredging company, and by that name shall have perpetual succession and be capable in law of holding and conveying such personal property as may be necessary for the objects of this company; may sue and be sued, plead and be impleaded, in all the courts of law and equity; may have a common seal, which they may alter and renew at pleasure; and may receive, execute and deliver all such instruments of writing as may be necessary to assist and promote the objects and designs of this company, namely, the dredging of docks, canals and water courses, and the towing of vessels in the rivers Delaware and Schuylkill; and the said company shall have the right to purchase and improve, or rent so much wharf property as may be necessary for the use of their steam tugs, dredging machines, scows and appurtenances.

Interest in let-
ters patent, ma-
chinery, &c., to be
common stock.

SECTION 2. That the said interests in the letters patent aforesaid, secured as aforesaid, machinery, boats, scows and steam tug, held by the said company, shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company, among the persons owning the same, according to their respective interests, for which certificates of stock shall be issued and be assignable and transferable in such manner, and subject to such conditions as the said company may from time to time prescribe; and the said shares of stock so created, shall be for all legal purposes, whatever, deemed and taken as personal estate. The capital stock of the said company shall be fifty thousand dollars, with the privilege, on the part of the company, to increase the same with the consent of a majority of the stockholders, to one hundred thousand dollars: *Provided*, That the par value of each share thereof shall not be less than twenty-five dollars.

Capital stock.

Provido.

Meeting of stock-
holders and elec-
tion of directors.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place of meeting having first been given by advertisement, in two newspapers published in the city of Philadelphia, and annually thereafter at such time and place as may be fixed upon, and shall there proceed to elect by ballot, seven directors, to serve for the term of one year, and until others are chosen in their places; and the said election shall be made by such of the stockholders of the said company as shall attend for that purpose, either in person or by proxy; each share of stock to entitle the holder thereof to one vote. The directors so chosen, shall

Votes.

elect one of their number to be president of the board of directors of said company; and in case of vacancy or absence, the office shall be filled by such person as the remainder of the directors, or a majority of them, may appoint.

SECTION 4. That the directors shall have full power to make By-laws and dividends, and to appoint such officers and agents as they shall deem proper for the well conducting the business of the company; to declare and provide for the payment of dividends to the stockholders, and in general to superintend, manage and direct the business and concerns of the company: *Provided*, That such by laws shall not be repugnant to the constitution and laws of this state or of the United States.

SECTION 5. That said company shall pay a bonus to the state of one-half of one per cent. on their capital stock as paid in, payable in four equal annual instalments; the first payment to be made within one year from the passage of this act; and shall also pay such tax upon dividends as is or may be provided by law.

SECTION 6. That the stockholders of the said company shall be jointly and severally liable, in their individual capacities and estates, for all the debts due to mechanics, workmen and laborers employed by said company, and for materials and produce furnished said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 57.

AN ACT

To incorporate the Eastern Market Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Boraef, George H. Martin, Charles Leland, Morton M'Michael, Richard Vanux, Edward Elliot, Samuel Bates, J. R. Flanigen, Gotlieb Scheetz, George Priest, Nicholas Beard, E.

	Randolph Maule, D. Wetherly, junior, George Tripner, Daniel B. Beitler, James Galbraith, William Maule, Edward Wartman, Henry Aykford, Godfrey Rittenhouse, Enos Smedley, Thomas U. Walker, Phineas Paest, George M. Hill, Joshua P. Eyre, Edward Satterwaite, William Henry, Chalkly Worthington, Samuel Davis, Samuel Sparhawk, and their associates, who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic and corporate by the name,
Style.	style and title of the Eastern market company of the city of Philadelphia, and as such shall have power to purchase and hold
Powers.	real estate, and to erect thereon buildings and improvements properly constructed and adapted for a Eastern market of sufficient size and capacity to accommodate all the occupants of the present market houses on Market street, extending from Front to Eighth street, which the councils of said city, by ordinance, have directed to be removed on the fifteenth day of April next: <i>Provided</i> , That such real estate shall be purchased and
Proviso.	such market house erected on the square of ground bounded by Market street on the north, and Chestnut street on the south,
Proviso.	between Fourth and Fifth streets, in the said city: <i>And provided also</i> , That said company shall hold no other real estate, nor erect any other market house in said city, excepting east of Fifth street as aforesaid.
Capital stock.	SECTION 2. That the capital stock of said company shall consist of four thousand shares of one hundred dollars each, with the privilege of increasing the same to five thousand shares.
May borrow money and issue bonds.	SECTION 3. That the said company shall have power, and it is hereby authorized to borrow any sum or sums of money, not exceeding three hundred thousand dollars, for the purposes of said corporation, and in order to secure the payment of the same, shall issue their bonds therefor of not less than one thousand dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders.
Organization, &c	SECTION 4. That the parties hereinbefore named, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof, and after one thousand shares shall have been subscribed by not less than one hundred persons, and at least five per centum paid in on said subscription, they shall provide by advertisements at least twice a week for two weeks, in two or more newspapers published in said city, for the
Election of directors.	election of a board of seven directors, who shall serve until the first Tuesday of November next, and until their successors shall be duly elected; and annually thereafter upon the first Tuesday of November, the stockholders shall elect a similar board of directors, to serve in like manner for one year and until their successors shall be duly elected; and if for any reason any of said elections shall be not be held at the time appointed, another time shall be appointed according to the by-laws of said company, for said purpose, not more than two months later than said date; and the said directors shall supply all vacancies in their board

by death, resignation or otherwise, until the next annual election; but no person shall be elected a director who shall not be at the time a stockholder in said company. Vacancies.

SECTION 5. That the said directors shall have power to elect a president, treasurer and such other officers, being citizens of Pennsylvania, as may be deemed necessary and expedient; and in every election for directors each stockholder shall be entitled to one vote for each share of stock, but no stockholder, whether original subscriber or assignor, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at that time, shall have been fully paid and discharged. Power of directors. Votes.

SECTION 6. That the said company shall have power to make and have a common seal, the same to alter and renew at pleasure, and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this State, and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation and the proper management of the affairs thereof: *Provided*, They shall not, by any rule or regulation, prevent the farmers who rent stalls in said market house, from disposing of the produce of their farms in such quantities and upon such terms as said farmers may think proper; and the farmers of the state of Pennsylvania shall enjoy all the rights and privileges in said market house, that may be granted to the citizens of Philadelphia or elsewhere: *Provided further*, That said company, before the renting of any stalls in said market house, and yearly thereafter before said renting, shall, by ten or more printed handbills, put up in the most conspicuous places in said market house, ten days before the time of renting, give notice of the time when said stalls will be rented; which said renting shall take place in said market house: *And provided further*, That upon application being made at the time of letting said stalls, the farmers of the state of Pennsylvania shall be entitled to rent fifty per cent. of the stalls in said market: *Provided further*, That no farmer shall be entitled to rent more than three stalls in said market, unless all the stalls shall not be applied for at the time of letting. Seal. By-laws, &c. Proviso. Proviso. Proviso.

SECTION 7. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July, in each and every year, and to be paid at the office of said company, at any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock thereof shall not be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company, for the excess so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon the minutes of the board, and give public notice of the same. Dividends. When and where paid. Individual liability.

May issue cer- SECTION 8. The said company shall have power and is hereby
 tificates of stock. authorized to issue certificates of stock at par, in liquidation of
 the whole or any part of the mortgage debts on the estate or
 Proviso. property of said company: *Provided*, That such issue of stock,
 together with the original shares taken and subscribed from
 time to time, by the stockholders, shall at no time and in no
 event exceed the five thousand shares authorized under the
 second section of this act of incorporation.

Limitation. SECTION 9. *Provided*, That the privileges hereby granted
 shall continue for the period of thirty years, and no longer,
 unless extended or renewed by the legislature.

Reservation SECTION 10. That the legislature hereby reserves the right to
 amend or alter the provision of this charter at any time: *Pro-
 vided*, No injustice shall be done thereby to the stockholders of
 said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini
 one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 58.

AN ACT

Authorizing and requiring the Commissioners of Union county to deliver
 to the Commissioners of Snyder county, certain Assessment Books be-
 longing to Snyder county.

WHEREAS, in pursuance of the provisions of the act, approved
 March second, one thousand eight hundred and fifty-five, the
 county of Union was divided and the new county of Snyder
 erected:

And whereas, No provision is made by said act for the trans-
 fer and delivery of the assessment books of lands lying in said
 county of Snyder; therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-
 tatives of the Commonwealth of Pennsylvania in General Assembly
 met, and it is hereby enacted by the authority of the same*, That
 the commissioners of Union county are hereby authorized and
 required to deliver to the commissioners of Snyder county, or
 upon their order, all the assessment books of lands lying and
 being within the boundaries of said new county of Snyder;

which shall be deposited in the commissioners' office of Snyder county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 59.

AN ACT

Relative to the Juniata Township Election District, in the county of Perry.

WHEREAS, The court of quarter sessions of Perry county has directed the people of Juniata township, in said county, to decide and determine, at their spring election in March next, upon a place to hold their general, special and township elections, in said township :

And whereas, The said court has named two places to be voted upon :

And whereas, Divers of citizens of said township are desirous that they shall have the privilege of voting upon the question of holding said elections at the school house in Markleville, in said township ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of Juniata township, in Perry county, are hereby authorized to vote upon the question of holding their general, special and township elections at the school house in Markleville, in the same manner, and with the same effect, as if the said school house in Markleville had been mentioned in the order of said court.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 60.

AN ACT

To incorporate the Association for the construction of a Statue of George Washington.

- Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph R. Ingersoll, Charles Macalaster, Wm. M. Meredith, James Bayard, P. M'Call, Wm. A. Porter, Joel Jones, Oswald Thompson, and those who shall hereafter become associated with them, be and are hereby created a body politic and corporate in law, by the name, style and title of the Association for the construction of a statue of George Washington, and by that name shall have perpetual succession, have a common seal,
- Style.** make contracts, may sue and be sued, plead and be impleaded, in any court of record, or in any other place whatever, and may also hold any real or personal estate, needful for the purpose of their association, which may be granted or conveyed to them by gift, grant, bargain and sale, devise, bequest or other alienation whatever, and sell and convey the same.
- Powers.** **Objects.** SECTION 2. That the object of this association shall be to construct, in the city of Philadelphia, a statue of George Washington, and for that purpose they may receive collections and contributions, in money, materials, labor, land, skill and industry, and may contract to pay for the same, or any part or portion thereof, at such time or times, and in such manner as to them, in concert with the parties to be contracted with or
- Proviso.** agreed upon, may be expedient: *Provided,* That the moneys collected in the manner set forth in this act, shall be appropriated to the object set forth in the first section thereof, and none other, under a penalty of a forfeiture of the charter of the company.
- Trustees, power to fill vacancies.** SECTION 3. That the following named persons shall be trustees of the said association, with power to fill their numbers in the event of any vacancy by reason of death, resignation or otherwise, and with like power to their successors. The trustees
- Meetings of.** shall meet on the first Monday of March in every year, and such as attend after due notice to all, shall have power to choose
- Officers.** a permanent chairman and secretary, who shall continue to be such until a change shall be made at a regular annual meeting of the board.
- Power of trustees.** SECTION 4. The board of trustees shall have power to appoint such other officers and agents, not herein before provided for, as may be necessary or useful for the admission of persons, being citizens of the United States, as corporators, and to make all other laws and regulations for the good government of the corporation, and not repugnant to the constitution and laws of the United States or of this commonwealth.

SECTION 5. The legislature reserves the right of altering, re- Repeal.
pealing, annulling or revoking the privileges hereby granted.

SECTION 6. The trustees provided for in the foregoing third Trustees provi-
section of this act, shall be and consist of the following persons, ded for in the
namely: Joseph R. Ingersoll, Charles Macalaster, William M. third section.
Meredith, William A. Porter, Oswald Thompson.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one
thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 61.

A SUPPLEMENT

To an act to provide for the erection of a House for the Employment and
Support of the Poor in the county of Schuylkill, passed the fourth day
of April, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same, That*
on the first Monday of May next, and annually on the first Directors and
Monday of January thereafter, the directors of the poor and of judges to meet
the house of employment of the county of Schuylkill, shall and fix certain
meet with the judges of the court of quarter sessions of said salaries.
county, at the court house in the borough of Pottsville; and
the said directors, or a majority of them, in concurrence with
the said judges, or a majority of them, shall appoint and fix
the salaries of the following officers, to wit: One steward and
one chief matron for said house; one farmer; one resident
physician, who shall be clerk and book-keeper; one out-door
physician, resident at Pottsville, and one solicitor; and the said
judges and directors, as soon as conveniently may be after the
passage of this act, shall, in a set of by-laws, rules and regula- By-laws.
tions, to be adopted by them, or by a majority of said judges
and directors, respectively, subject to alteration, amendment or
addition, from time to time, as they or a majority of them may
deem necessary and proper, prescribe the powers and duties of
the respective officers and matron appointed by them, according
to the provisions of this act; and may at any time, at their
discretion, remove any of said officers or matron, and appoint
others in their stead, until the next annual appointment.

SECTION 2. That all other necessary officers, out door physi- Salaries of officers
cians, matrons and assistants, shall be appointed and their and assistants.
salaries or compensation fixed in such manner, and at such

times, and under such regulations as shall be prescribed by said judges and directors, in said by-laws.

Repeal. SECTION 3. That all laws inconsistent herewith, be and the same are hereby repealed.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 62.

AN ACT

To incorporate the Franklin Market Company of Philadelphia.

Corporators

Style

Seal

Powers

Objects and purposes.

Stalls.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Hinckle, Jacob Keichline, Edward Wartman, Daniel R. Paul, George Wallace, Samuel Greer, Louis Gross, John W. Davis, John Yerkes, Barodail Pritchett, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Franklin Market company; to have perpetual succession; to be capable in law of suing and being sued; to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take in fee simple, or upon ground rent, such real and also such personal estate, as may by them be deemed necessary and proper for the ownership and for the construction, and for the proper use and management and maintenance of a market house, to be located west of Tenth street, and south of Market street, in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

SECTION 2. That the object and purpose of said corporation shall be, to erect and maintain suitable building or buildings and stalls, with all other things necessary for the use thereof, at any place within the limits of the city of Philadelphia; the same to be appropriated and used as a public market house for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever. The said market building, the stalls, or any one or more, or all of the same, to be leased, rented or disposed of in such manner and upon such

terms and conditions as the managers shall determine: *Pro-* Proviso
vided, Such by-laws and regulations shall not exclude farmers
 from any rights, privileges and immunities in renting stalls and
 selling produce therefrom, that is or may be granted to any
 citizen of Philadelphia or elsewhere: *And provided also*, That Proviso.
 some uniform rule in the renting or letting out of stalls, shall
 be established by the managers or corporators, and printed in
 English and hung up in some conspicuous place in said market
 house or houses: *And provided further*, That upon application
 being made at the time or times set forth in the aforesaid printed
 rule, the farmers of the state of Pennsylvania shall be entitled
 to fifty per cent. of said stalls, should they make application
 for the same, in conformity with the aforesaid rule: *Provided*
further, That no one farmer shall occupy more than one stall.

SECTION 3. That the capital stock of said corporation shall Capital stock
 not exceed two hundred and fifty thousand dollars, divided into
 five hundred shares of five hundred dollars each, and shall be
 in such form and be issued and transferred in accordance with
 such by-laws as the said managers may establish.

SECTION 4. That the government and control of the Franklin Government and
control.
 market company, and the management of its property, shall be
 vested in, and the corporate powers of said company shall be
 exercised by, a board of seven managers, who shall be elected Managers and
officers.
 by ballot from among the stockholders. They shall continue in
 office until their successors be elected. They shall elect a pre-
 sident, secretary and treasurer from among themselves; shall
 supply all vacancies in their number, however occasioned, and
 shall have general and entire control of the affairs and interests
 of the company; and that until other officers be duly elected,
 the persons named in the first section of this act, shall be held
 to be managers of the said corporation, and shall have power
 and authority as such.

SECTION 5. That a general meeting of corporators shall be Annual meeting
 held annually on the second Monday of January, for the
 election of seven managers and the transaction of other busi-
 ness; but if such meeting or election shall not then take place,
 the corporation shall not for that cause be dissolved, but such
 meeting or election shall take place as soon thereafter as may
 be, one week's public notice of such meeting being first given
 in at least three daily newspapers in the city of Philadelphia; Notice of meet-
ing.
 and special meetings of the corporation shall be called and held,
 as may be provided by the by-laws thereof; and that in the
 enactment of by-laws for the government of the corporation
 and its officers, and in the election of officers and the decision
 of all questions, and at all the meetings of the corporation, the
 corporators present, either in person or by proxy, shall severally Votes
 vote one for each share of stock held by them.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini
 one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 63.

AN ACT

Relative to Pawnbrokers in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, any person or persons who shall be engaged in, or carry on the business of a pawnbroker, in the city of Philadelphia, without having first obtained a licence therefor, in accordance with existing laws and ordinances of said city, shall be deemed guilty of a misdemeanor, and upon conviction in the court of quarter sessions of the peace in and for the city and county of Philadelphia, shall be sentenced to pay a fine of not less than twenty-five, nor more than one hundred dollars, and undergo an imprisonment in the county prison, for a period of not more than three months, at the discretion of the court.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 64.

AN ACT

To authorize the School Directors of the borough of Bedford to borrow money, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* to enable the school directors of Bedford borough, in the county of Bedford, to complete a school house now partly constructed, they are hereby authorized and empowered to borrow, on the credit of said district, any sum or sums of money not exceeding in the whole three thousand dollars, at any rate of interest not exceeding six per cent. per annum, and issue bonds therefor in sums not less than one hundred dollars each.

School directors
authorized to
borrow money.

SECTION 2. That the provisions of the act, entitled "An Act to enable the school directors of the borough of Bedford to erect a school house," approved seventh May, one thousand eight hundred and fifty-seven, be and the same are hereby extended for the period of one year. Provisions of certain act extended.

SECTION 3. That the boundaries of the borough of Bedford, be and the same are hereby so extended as to include the lot adjoining said borough on the south, and purchased by the school directors thereof, from William T. Dougherty, by articles of agreement, dated the fourth day of September, one thousand eight hundred and fifty-eight. Boundaries extended.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 65.

AN ACT

To prevent the destruction of Fish in M'Michael's Creek, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That persons owning or having erected mill dams across M'Michael's creek, in the county of Monroe, shall, on or before the first day of September next, erect the necessary schutes or slopes to said dams, so as not to prevent the fish from ascending or descending said stream. Schutes to be made in dams.

SECTION 2. That any person who shall neglect or refuse to comply with the provisions of the first section of this act, shall forfeit and pay the sum of five dollars per month for every month he so neglects, to be recovered as debts of like amount are now recovered before a justice of the peace; which shall be paid by the justice of the peace, to the overseers of the poor of the township in which such dam is erected. Penalty.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 66.

AN ACT

To change the name of the Pittsburg Life, Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name, style and title of the Pittsburg life, fire and marine insurance company, be and the same is hereby changed to the Pittsburg insurance company: Provided, That the said company shall have and enjoy the same rights and privileges, and be subject to the same limitations, restrictions and liabilities as though its corporate name had not been hereby changed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 67.

AN ACT

To appoint Commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne.

Preamble

WHEREAS, The main road passing through the township of Wilkesbarre, from the northern line of the Wyoming canal, formerly known as the North Branch canal, to the southern line of the borough of Wilkesbarre, in the county of Luzerne, was originally laid out and opened sixty-six feet wide, but questions as to the legality of the width and as to the authority of the supervisors over the whole of the said width, have occasionally arisen, and persons living along the line of said road, have from time to time moved their fences into and otherwise occupied the same, to the serious annoyance of the public; to remedy and prevent any difficulty hereafter, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the original lines and width of so much of the said road as extends from the northern line of the Wyoming canal, formerly known as the North Branch canal, to the southern line of the borough of Wilkesbarre, in said county, be and the same is hereby legalized and confirmed, and the space comprised within the same appropriated to the purposes of public highways, to be opened and repaired in all respects as roads are opened and repaired which are laid out by order of the different courts of this commonwealth.

SECTION 2. That the inhabitants living on or occupying land on either side of said road, shall have the right to appropriate a portion of said road, not exceeding ten feet in width, to the purpose of side walks and planting ornamental or shade trees; which portion shall, when once so appropriated, in no case be infringed upon by any supervisor, for any purposes of the road, or any other purpose whatever.

SECTION 3. That Charles D. Shoemaker, Samuel Wadhams and William C. Reynolds, be and they are hereby appointed commissioners to re-survey the said road and ascertain and fix the original lines of the same; and it shall be the duty of the said commissioners, or a majority of them, after taking and subscribing an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with fidelity and impartiality, to carefully retrace the original lines of the said road, and mark the same in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ one surveyor at a per diem allowance of two dollars, and two chain carriers at a per diem allowance not exceeding one dollar, and the commissioners respectively receive a per diem allowance not exceeding one dollar and fifty cents for every day necessarily spent in discharge of the duties enjoined by this act, to be paid in manner and form hereinafter directed.

SECTION 4. That it shall be the duty of said commissioners to make out a fair and accurate draft of the location of said road, respectively noting the courses and distances as they occur, and on or before the first day of May next deposit the said draft in the office of the clerk of the court of quarter sessions of the said county of Luzerne.

SECTION 5. That the accounts of the said commissioners, for their own pay and the pay of the surveyor and chain carriers, shall be made out and returned to the commissioners of said county, on warrant drawn in the usual way; and the said commissioners shall meet on or before the first day of April next, and complete the view as soon thereafter as practicable, and if any vacancy or vacancies occur, shall fill said vacancy or vacancies by the appointment of suitable persons who shall perform said duties.

SECTION 6. That as soon as practicable after the commissioners aforesaid shall have fixed the line of said road, it shall be the duty of the supervisors of the township of Wilkesbarre to give ten days' notice to all persons whose fences or buildings are in the road, or who may in any way illegally occupy said road, to remove the same and clear the road, and in default of

Certain lines and width legalized

Certain part of road appropriated for walks &c.

Commissioners to re-survey and fix original lines

Oath.

Duties

Compensation

Draft

Accounts for pay relative to

Vacancies

Obstruction of the road to be removed

compliance with the said order, then to proceed in the manner prescribed by the general act of this commonwealth in such cases made and provided.

Penalty for mutilating trees.
See

SECTION 7. That if any person or persons who shall wilfully or knowingly cut, hack, break or in any way injure any trees already standing, or which may hereafter be set out or planted along the side walks made or to be made as aforementioned, or who shall ride or drive on the said side walks, shall for every such offence, on conviction before any justice of the peace in and for the county of Luzerne, beside the cost of prosecution, forfeit and pay not less than five nor more than fifteen dollars, one-half to the informer and one-half to the township, for the use of the poor of said township; and if the offender refuse to pay, the same shall be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice before whom such offender shall be convicted, returning the overplus, if any, to the owner, the charge of distraining being first deducted; and for want of such distress he shall be committed to prison, not less than ten days, nor more than thirty days.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 68.

AN ACT

Relating to certain Charitable Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the courts to permit married women to be incorporated with others in any institution composed of women, or to be under their management, for the care and education of children, or for the support of sick or indigent women.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 69.

A SUPPLEMENT

To the act to incorporate the Paddys Run Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Paddys Run bridge company be and are hereby authorized to issue bonds in part for its indebtedness incurred and to be incurred on account of erecting a bridge and railroad across the North Branch of the Susquehanna river, and to secure the same by mortgage on its bridge, and all its corporate property, franchises, rights and privileges: Provided, That the amount of said bonds shall not exceed the sum of twenty-two thousand dollars; said bonds shall be issued in sums of not less than five hundred dollars each, and be payable at a period not exceeding twenty years from date, with interest payable semi-annually.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 70.

AN ACT

Relating to Strays in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the act passed twenty-sixth April, Anno Domini one thousand eight hundred and fifty-five, pertaining to strays in the counties of Warren and Crawford, shall extend to the county of Venango.*

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 71.

AN ACT

To repeal an act to change the place of holding Elections in Porter township, Schuylkill county, approved the ninth day of February, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act, entitled "An Act to change the place of holding elections in Porter township, Schuylkill county," and approved the ninth day of February, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby repealed.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 72.

AN ACT

Relating to the Navigation of Tionesta Creek and its Branches.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Tionesta creek, with its branches, is hereby declared a public highway from the Hall and Fisher mill to the sources thereof.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 73.

AN ACT

Relating to the Navigation of Pine Creek, in Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Pine creek, in Warren county, be hereby declared a public highway, from its mouth to Carpenter's mill.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 74.

AN ACT

Supplementary to an act to enable the Commissioners of the county of Warren to effect certain Compromises, approved the twenty-seventh day of January, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* for the purpose of carrying out the compromises authorized by an act, entitled "An Act to enable the county of Warren to effect certain compromises," approved the twenty-seventh of January, Anno Domini one thousand eight hundred and fifty-nine, the commissioners of Warren county shall have power to assess a tax not exceeding the half of one per cent. per annum on the assessed valuation of property in said county, for the term of six years.

Commissioners of
Warren county
authorized to
assess certain tax

SECTION 2. That the burgess and town council of the borough of Warren shall have power to compromise with the Sunbury and Erie railroad company, for the alleged subscription by said borough to the stock of said company, on such terms as may be agreed upon between the parties: *Provided*, That the amount which may be agreed to be paid by said borough, shall not ex-

Compromise with
the Sunbury and
Erie railroad for
subscription to
stock by the
borough of War-
ren.
Proviso.

ceed the sum of three thousand dollars, and that any contract of compromise shall be signed by at least seven members of said council. For the purpose of paying any sum that may be agreed upon under the provision of this section, the said burgess and town council shall have power to lay annually a special tax not exceeding five mills on each dollar of the assessed valuation of said borough, which shall be entirely devoted to discharge the principal of the sum that may be agreed to be paid; which power shall cease when the whole amount shall be paid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 75.

A N A C T

To increase the pay of the County Commissioners and Auditors of Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to increase the daily pay of the county commissioners and county auditors of Cambria county," approved the eighth day of April, one thousand eight hundred and fifty-seven, be and the same are hereby extended to the county of Indiana.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 76.

A N A C T

For the relief of Henry Bumgardner, a soldier of the Indian war of one thousand seven hundred and ninety-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay to Henry Bumgardner, a soldier in the Indian war of one thousand seven hundred and ninety-four, now of Butler county, Pennsylvania, a gratuity of forty dollars, and an annuity of forty dollars during his natural lifetime, payable semi-yearly, and dating from the first day of January, one thousand eight hundred and fifty-nine.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 77.

A N A C T

Authorizing the appointment of Commissioners to run the Boundary Lines between the counties of Clinton and Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph F. Quay, of Clinton county, and N. J. Mitchell, Henry P. Trezuyulny, of Centre county, be and they are hereby appointed commissioners, whose duty it shall be to employ a proper number of assistants; and the said commissioners, or a majority of them, shall correctly run and mark distinctly the boundary line or lines, between the counties of Centre and Clinton; and it shall be the duty of said commissioners to lay down on their drafts the tracts of land through which the lines may pass, agreeably to the act of assembly creating said counties, and the

supplements thereto; and the said commissioners, or a majority of them, shall make out three drafts, one of which shall be filed in the commissioners' office of each of said counties, and the other to be filed in the surveyor general's office, and there kept as a matter of record; and the said commissioners shall each receive the sum of three dollars for each and every day they may be necessarily employed in running and marking said boundary lines, and the assistants each the sum of one dollar and fifty cents for each and every day that they shall be necessarily employed as aforesaid, one-half of which shall be paid out of the treasury of each of said counties; and the said commissioners are required to perform the duties enjoined in this act, on or before the first day of December next, and the report of said commissioners be final and conclusive: *Provided*, That nothing herein contained shall affect any private right, or affect the title which may have been acquired to unseated lands by commissioners' or treasurer's sales in either county, previous to the passage of this act.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 78.

AN ACT

To confer on James Morrison, of Washington county, all the Rights and Privileges of a Child born in lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James Morrison, son of James Morrison, of Washington county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if he had been born in lawful wedlock.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 79.

AN ACT

To extend the limits of the Borough of Pottsville, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the lines of the borough of Pottsville, in the county of Schuylkill, be and hereby are extended so as to embrace within the limits of the said borough all that part of Norwegian township, in said county, beginning at a post the present north-west corner of said borough; thence along the western line of a tract of land known as the Navigation tract, north nineteen and three-quarters degrees west eleven hundred and eight feet to a post and stones; thence by land of R. M. and L. Lewis and the North America coal company, north seventy degrees east thirty-three hundred and twelve feet to a stone; thence south twenty degrees east three hundred and fifty-eight feet to a stone; thence north seventy degrees east twenty-one hundred and ninety-one feet to a stone; thence south one and a half degrees east eight hundred and twenty-two feet to the crossing of the present north line of said borough; thence along said line to the place of beginning. Borough limits extended.

SECTION 2. That all that portion of the above described part of Norwegian township lying west of the Centre turnpike road, be and is hereby annexed to and hereafter shall constitute a part of the North-West ward of said borough, and all that portion lying east of said road, be and is hereby annexed to and hereafter shall constitute a part of the North-East ward of said borough. Portion of Norwegian township annexed to North-East ward.

SECTION 3. That the part of Norwegian township above described shall hereafter constitute a part of the school district of the borough of Pottsville. School district.

SECTION 4. That the streets, lanes and alleys in the said above described part of Norwegian township, laid out and marked upon the plot or draft of the Norwegian addition to the borough of Pottsville, recorded in the office for recording deeds, et cetera, in and for the said county of Schuylkill, in town plot and draft book number one, on the twelfth day of January, Anno Domini one thousand eight hundred and fifty-six, be and the same are hereby declared to be public highways, and to be subject to the laws regulating public roads. Streets, lanes and alleys, relative to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 80.

SUPPLEMENT

To an act authorizing the Governor to incorporate the Norristown, Bridgeport and King of Prussia Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the tolls prescribed by the act of assembly, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," it shall and may be lawful for the said Norristown, Bridgeport and King of Prussia turnpike road company, to collect and receive of and from all and every person or persons using the road of the said company, the tolls and rate hereinafter mentioned; that is to say, for every mile in length of said road, the following sums of money, to wit: For every score of hogs, one cent; for every score of sheep, one cent; for every score of cattle, three cents; for every horse and his rider, or led horse, one cent; for every sulkey, chair or chaise with one horse and two wheels, two cents; with two horses, three cents; for every chariot, coach, phaeton, or dearborn, with one horse and four wheels, two cents; for every coach, phaeton or chaise, with two horses and four wheels, four cents; for either of the carriages last mentioned, with four horses, five cents; for every other carriage of pleasure under whatever name it may go, the like sums, according to the number of wheels and horses drawing the same; for every stage wagon with two horses, three cents; for every such wagon with four horses, four cents; for every sleigh or sled, one cent for each horse drawing the same; for every cart or wagon whose wheels shall be less than seven inches, one cent for each horse drawing the same; and for every cart or wagon, the breadth of whose wheels shall be more than seven inches, a half cent for each horse drawing the same.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 81.

AN ACT

To incorporate the Security Fire Insurance Company to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles M. T. Leslie, Henry P. Atkinson, S. F. Herring, Albert Rover, F. B. Colton, Robert C. Davis, John Alexander, James H. Keenan and A. R. Fougeray, are hereby appointed commissioners who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name and title of the "Security fire insurance company," to be located in the city of Philadelphia, with a capital stock of twenty-five thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to two hundred thousand dollars, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first class in the seventh section of said act, with the right to transact its business upon the mutual principle, in connection with its capital stock as aforesaid.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 82.

AN ACT

Declaring Knapp's Creek, in the county of M'Kean, a Public Highway.

SECTION 1. *Be it enacted by the Senate and Houses of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

from and after the passage of this act, Knapp's creek, in the county of M'Kean, shall be declared a public highway, from its mouth to the upper dams now erected on the North and South Branch of the same.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 83.

A N A C T

Relative to the Election of the Town Council of the borough of West Greenville, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the number of members of the town council of the borough of West Greenville, in the county of Mercer, shall consist of six instead of five, as under existing laws, and shall be elected at the time and place of holding elections for borough officers, as follows: Two qualified citizens shall be elected as members of the town council each year, and shall serve for the period of three years; that four of the present town council shall remain in office, two to serve for two years, and two to serve for one year; that at least one week preceding the next election, the said town council shall determine by lot which of said councilmen shall continue in office for two years; which of them shall continue in office for one year, and which of them shall retire from said office; that the election shall be conducted in all respects as provided for by existing laws; and all acts legally done by the said council, shall be as valid as if the members remaining in said council had been legally re-elected to said office.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 84.

A N A C T

Relating to the Fees of Aldermen and Constables, in criminal and penal cases in the city of Philadelphia, and to issuing process therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twenty-fourth section of the act of the general assembly of this commonwealth, approved on the second day of February, Anno Domini one thousand eight hundred and fifty-four, the twenty-fifth section of the act approved on the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five, and the twentieth section of the act approved on the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six, as prohibits aldermen and constables from receiving fees in criminal or penal cases, or requires them to submit a statement of the costs or fees so received, to the controller, and to pay over the same to the city treasurer; and also the entire act, entitled "An Act relative to aldermen and constables in the city of Philadelphia," approved on the fifth day of April, Anno Domini one thousand eight hundred and fifty-eight, be and the same are hereby repealed: *Provided*, That nothing herein contained shall be so construed as to repeal or alter any law requiring police or committing magistrates in the said city, to submit to the controller a statement of all the fines, penalties and costs received by them in virtue of their offices as such, and to pay the same over to the city treasurer.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F PACKER.

No. 85.

A N A C T

Authorizing the Commissioners of the county of Somerset to sell property owned and occupied for the use of the poor of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Somerset shall have authority, under directions of the orphans' court of said county, to sell and dispose of the whole or part of the tract of land now owned and occupied by the directors of the poor of said county as a poor house, at public or private sale, as in their judgment may be deemed best, and to make deed or deeds to the purchaser or purchasers conveying them the real estate so sold in fee simple.

Commissioners to
sell tract of land
owned by direc-
tors of the poor.

Purchase money,
how applied.

SECTION 2. That if the said commissioners shall sell a part of said real estate only, the purchase money to be applied, under the directions of the directors of the poor of said county, in the erection of suitable buildings upon the part unsold, for the accommodation of the poor of said county; and if the said commissioners shall sell the whole of said real estate, then the purchase money is to be forthwith invested by said commissioners in the purchase of other and more suitable real estate, and the erection of buildings for the purpose aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 86.

A N A C T

To incorporate the Greencastle and Middleburg Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Newman, Samuel J. Crunkelton, James C. M'Lanahan,

Commissioners.

William Allison, George H. Davison, George W. Ziegler, James M. Brown, Henry Pensinger, John Rowe, Esq., William Martin, David L. Martin and Jacob B. Brumbaugh, or any six of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Greencastle and Middleburg turn-^{Style.}pike road company, to locate and construct a turnpike road from Greencastle to the Maryland state line, at the state line at ^{Route.}Middleburg village; said turnpike road shall be laid out thirty-five feet in width, twenty feet of which shall be stoned or graveled one foot in depth, and shall not at any point rise or fall more than will from an angle of four degrees from a horizontal line. Said company shall be subject to all the provisions ^{Subject to.}and liabilities of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following sections of this act.

SECTION 2. That the capital stock of said company shall con-^{Capital stock.}sist of one hundred and fifty shares of stock, at twenty-five dollars per share, with the privilege of enlarging fifty shares additional, if it is deemed necessary for the construction of said road.

SECTION 3. That whenever said company shall have finished ^{Toll.}two miles of said turnpike road, the same proceedings may be had to enable the company to erect and fix toll gates upon and across the same, and collect tolls, as is provided in the aforesaid act of assembly in relation to any completed five miles of a turnpike road.

SECTION 4. That said company may use all or such part or ^{May use part of}parts of the old township or public road now leading or ex-^{certain road.}tending between the points aforesaid, as may be practicable and for the interests of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 87.

A N A C T

To incorporate the Mutual Fire Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin Malone, T. Ellwood Chapman, John J. Lytle, William Bedell, Eli Dillin, Robert E. Evans, Elwood B. Davis, James Smedley, William Hawkins, Benjamin M. Dusenberry, H. H. Henderson, Benjamin H. Lightfoot and Samuel W. Townsend, and such other persons as are or may be associated with them under the authority of this act, their successors or assigns, are hereby made a corporation by the name of the Mutual fire insurance company of Philadelphia, and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate, to have and enjoy all the rights, powers and privileges, and be subject to all the limitations and restrictions provided and enacted by an act of assembly, passed the second day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," and shall be limited to the risks designated in the first class in the seventh section of said act, and shall transact its business on the mutual principle.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 88.

S U P P L E M E N T

To an act to incorporate the Pittsburg and Steubenville Railroad Company, approved the twenty-fourth day of March, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time fixed in the third section of the act to which this is a*

supplement, for the completion of the Pittsburg and Steubenville railroad, be and the same is hereby extended for the period of ten years, from and after the time fixed therein for the completion thereof, with like effect as though the limitation specified in said section had been originally twenty-years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 89.

A N A C T

Authorizing Asa Dimock, Administrator of the Estate of his son, Lafayette G. Dimock, late of Harrisburg, deceased, to sell and convey certain unimproved and unproductive Lands belonging to said Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Asa Dimock, administrator of his son, Lafayette G. Dimock, late of the borough of Harrisburg, in the county of Dauphin, deceased, his certain attorney or executors, or any of them, be and they are hereby authorized and empowered to sell and dispose of, either at public or private sale, all and any part of the unseated or unproductive lands and tenements which were of or in any wise belonging to the estate of the said deceased, wherever situate, lying or being in any one or more of the counties of this commonwealth, and the same to convey to the purchaser or purchasers, his, her, or their heirs or assigns, in fee simple, by deed or deeds duly made, executed and delivered: *Provided,* That the said Asa Dimock, before executing a deed for any part of said land, shall execute and file in the orphans' court of Dauphin county, a bond with one or more sufficient surety, to be approved of by said court, or the president judge thereof in vacation, in any sum to be fixed by said court or judge, conditioned for the faithful application of the amount arising from said sale, according to the existing laws of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 90.

A N A C T

Relating to the Leverington Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the second section of the act of assembly, approved on the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, shall not be held or taken to apply or to have applied to the act of assembly incorporating the Leverington cemetery company, approved on the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, but that the said last mentioned act shall be and remain in full force and effect, anything in the first recited act contained to the contrary notwithstanding: Provided, That the enrollment tax on the said act of incorporation be paid within ten days after the passage of this act.*

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 91.

A N A C T

To incorporate the Luzerne Powder Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators.

John Howarth, Jr., Gould P. Parrish, John J. Albright, G. B. Nicholson, Thomas J. Woolf, Abram Price, Charles B. Drake, Augustus C. Laning and William R. Kenwick, and their associates, successors and assigns, be and they are hereby erected into a body corporate, in law and in fact, by the name, style and title of the Luzerne powder company, and by that name, style and title shall have perpetual succession, and shall be able

Style.

to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to make and have a common seal, Seal. and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances By-laws. and regulations as shall appear necessary and convenient for the government of the corporation, not being contrary to the constitution or laws of the United States, or of this commonwealth, and generally to exercise all rights and privileges lawfully appertaining to the said corporation and requisite to the due management of the affairs thereof.

SECTION 2. That the said corporation shall be located in the Business, &c. county of Luzerne, and its business shall be confined to the manufacture and sale of powder; and for the purpose of such manufacture and sale, said corporation shall be at liberty to purchase and store materials, and erect buildings and fixtures, in such manner not being contrary to any law of this commonwealth, as fully to carry out and effect the objects of the said corporation.

SECTION 3. That the capital stock of the said corporation Capital stock. shall consist of one thousand shares of one hundred dollars each: *Provided*, That the whole amount of stock to be issued Proviso. shall not exceed the sum of one hundred thousand dollars.

SECTION 4. That the affairs of the said corporation shall be Officers. conducted by a president and seven directors, who shall be elected at a meeting of the stockholders, to be held on the first Wednesday of January in each year; within six months after Meeting of stockholders. the passing of this act the said company shall be duly organized by the election of officers, to hold until the next annual Election. election; and immediately upon such organization the president Organization to be certified to secretary of commonwealth. shall certify the fact, setting forth the names of the officers, the date of the organization and the amount of the capital issued, to the secretary of the commonwealth, who shall file the same in his office.

SECTION 5. That the said corporation, in order to secure the May convey land water-power necessary for the profitable and advantageous management of their business, shall have power to purchase, hold and convey, in fee simple, any quantity of land, not exceeding in the whole at any one time five hundred acres.

SECTION 6. That the president and directors of said company May borrow money. shall have authority to borrow money, for the purposes of their business, at any rate of interest not exceeding seven per centum per annum, and may pledge the fee simple of the property, rights, franchises and privileges of the company, for the security and re-payment thereof.

SECTION 7. That the said corporation shall pay to the treasurer of the commonwealth a tax of one-half of one per centum on the capital stock thereof, payable in four equal annual instalments; the first payment to be made within one year from the passage of this act, and shall also pay such taxes upon dividends as are or may be provided by law. Tax to commonwealth. &c., on dividends.

SECTION 8. That the stockholders of the said company shall Individual liability. be jointly and severally liable in their individual capacities and estates, for all debts due to mechanics, workmen and laborers employed by them, and for produce furnished said company, to be sued for and collected as is provided by the twelfth, thir-

Subject to. tenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three.

Repeal. SECTION 9. That the legislature shall have the power to alter, revoke or annul this charter of incorporation, whenever in their opinion it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 92.

A FURTHER SUPPLEMENT

To an act to erect the town of Sunbury, in the county of Northumberland, into a Borough.

Preamble.

WHEREAS, The burgesses, town councils and sundry inhabitants of the said borough, are desirous of having certain alterations, amendments and additions to the existing acts of incorporation and the supplements thereto, of the said borough, whereby the same would be rendered more conformable to the wishes of the said inhabitants; therefore,

Powers of burgess and town council relative to curbing, paving, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgesses, assistant burgess and common council, in town council assembled, shall have full power and authority to require and direct the grading, curbing, paving and guttering of the side or foot walks by the owner or owners of the lots of ground respectively fronting on any of the public streets or highways of said borough, in accordance with such regulations as may be presented by the said town council.

ARTICLE I.

To cause the same to be done on failure of the owner or owners thereof within the time prescribed by ordinance, and to collect the cost of the work and material, with twenty per centum advance thereon, from said owner or owners, as claims are by law recoverable under the provisions of the law relative to me-

chanics' liens; and the particulars of such labor and materials, the name or names of the actual or reputed owner or owners, as also of the occupier or occupiers of the premises, for the time being, shall be set forth in a statement to be filed within thirty days after such work shall have been finished. The town council shall have the authority to regulate the roads, streets, lanes, alleys, courts, common sewers, public squares, common grounds, foot walks, pavements, gutters, culverts and the heights, grades, widths, slopes and forms thereof, and they shall have other needful jurisdiction over the same.

Council authorized to regulate roads, streets, &c.

SECTION 2. To make regulations relative to the cause and management of fires, and within such limits within the borough as they may deem proper to prescribe, and to authorize the borough authorities to appropriate money for the purchase of fire engines, and to fire companies.

Regulations relative to fires and fire apparatus.

SECTION 3. To levy and collect, annually, for borough purposes, and also for the purpose of liquidating the debt of the borough, any tax not exceeding one half cent on the dollar, on the valuation assessed for county purposes, as is now or may be provided by law; all property, offices, professions and persons made taxable by the laws of this commonwealth for county rates and levies, shall be taxable after the same manner for borough purposes.

Taxes, levying and collection of.

SECTION 4. It shall be the duty of the chief burgess to issue his warrant for the collection of all taxes assessed for borough purposes, and to demand and receive sufficient security, in the amount fixed by the corporation, from the treasurer, (who shall be appointed by the town council,) collector and high constable.

Chief burgess to issue warrant for collection of taxes.

SECTION 5. The chief burgess is hereby authorized to issue his precepts, as often as occasion may require, to the collector or collectors of the borough, (who shall be appointed in the same manner as the borough treasurer,) commanding him or them to collect all taxes assessed for the use of said borough, and the same to pay over to the treasurer thereof, which collector or collectors shall have the same power that collectors now have in collecting county rates and levies.

To issue precept to collectors, &c.

SECTION 6. The collector of borough taxes may be proceeded against, by the borough treasurer, in the same manner for neglect to pay over the amount of his duplicate according to law, as provided in the case of collectors of county rates and levies.

Collector of taxes, how proceeded against.

SECTION 7. The town council shall constitute a court of appeal, and prior to the collection of any borough tax, the collector shall inform each inhabitant of the amount of his tax, and of the time and place of appeal: *Provided*, That the court of appeal shall have no other power, as such, than to determine the apportionment of said taxes, and to remedy any grievance that may occur.

Council to constitute a board of appeal

SECTION 8. All bills shall first be passed by the town council, and after the same shall have been so passed, the chief burgess shall draw his order on the borough treasurer for the same, attested by the town clerk, except bills for the relief of paupers, which shall be paid by the treasurer on orders from overseers of the poor.

Bills to be passed upon by town council.

Relief of paupers

SECTION 9. The following officers shall be elected on the third Friday of March, in each and every year, after this supplement shall have become a law, at the time and place now provided by the act of incorporation to which this is a supplement, viz:

Officers, when and where elected.

Two burgesses, (one of whom shall be chief burgess as is now regulated by the act of incorporation;) four assistant burgesses; eight common councilmen; one high constable; one town clerk; one judge, and two inspectors of the general election; one assessor, and two assistant assessors when required by the laws of this commonwealth; two overseers of the poor, and two commissioners of streets, lanes and alleys.

Power of commissioners of streets.

SECTION 10. The commissioners of streets, lanes and alleys shall have the same power and authority as is vested in the supervisors by the act of incorporation to which this is a supplement; and the said office of supervisor is hereby abolished, and the duties appertaining thereto shall be performed by the said commissioners, save and except so much of the same as is altered and supplied by this supplement: *Provided*, That the said commissioners shall be under the direction and control of the town council.

Proviso.

Salaries to be fixed by town council.

SECTION 11. The amount to be paid for the collection of taxes, the salaries of chief burgess, town clerk, high constable, assessors, auditors, street commissioners, overseers of the poor, and treasurer, shall be fixed by the town council.

Borough auditors, how appointed.

SECTION 12. Three borough auditors shall be appointed by the town council, to serve for the term of one year from the time of their appointment, whose duty it shall be to audit, adjust and settle the accounts of the officers above stated.

Night watch.

SECTION 13. The town council shall have power to establish a nightly watch and special police whenever they may see proper so to do, whose compensation shall be fixed by the said town council.

Who entitled to vote.

SECTION 14. All persons entitled to vote for members of the legislature, and who shall have resided in the borough for the space of one year, as is provided for in the act of incorporation, shall be entitled to vote for all the offices herein set forth.

Council may change names of streets.

SECTION 15. The town council are hereby authorized to change the names of the different streets, lanes and alleys of the borough, whenever they may deem it proper so to do.

Repeal.

SECTION 16. That all that part of the second section of a supplement to the act, entitled "An Act to erect the town of Sunbury, in the county of Northumberland, into a borough," approved the sixteenth day of March, eighteen hundred and three, after the word "require," and section third of the same supplement, be and are hereby repealed.

Repeal.

SECTION 17. That such parts of the act of incorporation and laws of said borough, and supplements thereto, as conflict with this supplement, be and the same are hereby repealed.

First election, when to be held.

SECTION 18. The first election under this supplement shall be held on the third Friday of March, A. D. eighteen hundred and fifty-nine, at the time and place of holding the election for inspectors of the general election.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 93.

AN ACT

Relating to the Opening and Grading of new Roads in Thornbury township, in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases in which a new road or roads shall be laid out and directed to be opened, in the township of Thornbury, in the county of Delaware, it shall be the duty of the supervisors of said township, and they are hereby required and directed, within ten days after the receipt of the order from the court of quarter sessions of said county, directed to them for the opening of said road, to divide the said road so laid out and directed to be opened, into sections, so as to equalize, as far as possible, the amount of labor to be performed on each section, in the opening and grading of said road, and then to sell out the opening and grading of the same, in sections as aforesaid, to the taxable inhabitants of said township, the lowest and best bidder being the purchaser; they, the supervisors, giving ten days' notice of such sale, by at least twelve written or printed notices, set up in the most public places of said township; and in case of any dispute between the supervisors and the purchasers of any section or sections so set up and sold, an appeal may be had to the court of quarter sessions of the county aforesaid.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 94.

AN ACT

To incorporate a Company by the name, style and title of the Waynesburg Turnpike Road Company, with power to construct a Road from a point at or near the mouth of Bates Fork Ten Mile Creek, by the way of Waynesburg, to the east end of Morrisville, in Greene county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Andrew Peurman, Rufus K. Campbell, Thomas Hill, John C. Flenniken, Jonas Ely, Sr., Godfrey Gordon, William T. E. Webb, Andrew Lantz, Jr., James Lindsey, Joseph L. M'Connell, William W. Sayers, Jesse Lazear, Charles A. Black, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the

Style name, style and title of the Waynesburg turnpike road company, with power to construct a turnpike from a point at or near the mouth of Bates Fork Ten Mile creek, by the way of

Route. Waynesburg, to the east end of Morrisville, in Greene county, by the nearest and best route, subject to all the provisions and

Subject to restrictions of an act regulating turnpike road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Capital stock. SECTION 2. That the capital stock of said company shall consist of one thousand shares at ten dollars each: *Provided*, That

Proviso. said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock as much as in their opinion may be necessary to complete the road and carry out the true intent and meaning of this act.

Toll. SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of an act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Commencement and completion. SECTION 4. That if said company shall not commence the said road within six months after the passage of this act, and complete the same within two years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

May use state and county roads, &c. SECTION 5. That said company is hereby authorized to make use of any state or county road or roads, bridge or bridges, or the streets of any town or borough, over or through which said road may pass: *Provided*, That said company shall assume the control and keep said bridges in repair, at all times after gates have been erected and tolls collected on said road.

Proviso

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 95.

AN ACT

Relating to the Borough of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the expiration of the term of office of the present supervisors of the borough of Lebanon, said office of supervisor in said borough shall be abolished; and the burgesses and councils of said borough are hereby authorized and empowered, from time to time, to appoint one or more street commissioners, whose duty it shall be, under the direction and control of said burgesses and councils, to keep the streets and alleys of said borough in proper repair. Office of supervisor abolished.
Street commissioners.

SECTION 2. That no new street or alley within the limits of said borough of Lebanon, shall be opened, nor shall any old street or alley be extended, without the formal consent of the burgesses and councils of said borough. Opening of streets and alleys.

SECTION 3. That all laws or parts of laws inconsistent with the provisions of this act, so far as they may apply to said borough of Lebanon, are hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 96.

AN ACT

Authorizing Robert Given, of Westmoreland county, to build a Dam across Conemaugh River.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Given, of Westmoreland county, be and he is hereby authorized and empowered to construct a dam over the Conemaugh river, adjoining the town of New Florence, in Saint

Clair township, Westmoreland county, of such height as he may find necessary to afford a sufficient supply of water for milling purposes: *Provided*, That said dam is erected of such height and in such manner as shall not infringe on, or injure the rights and privileges of the Pennsylvania railroad company, nor those of the owner or possessor of any private property on said stream.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 97.

AN ACT

To amend the Charter of the Borough of North Lebanon, county of Lebanon.

Preamble

WHEREAS, The borough of North Lebanon, county of Lebanon, was on the second day of January, Anno Domini one thousand eight hundred and fifty-five, incorporated by the court of quarter sessions of said county, under a charter granted by said court, in pursuance of an act of general assembly of this commonwealth, entitled "An Act regulating boroughs," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, under which charter the qualified electors of said borough, at the first election after the granting of the same, and annually since at the time and place therein designated, elected a chief burgess, assistant burgess, two supervisors, high constable and wood corder, and at the first election six councilmen, two to serve one year, two to serve two years, and two to serve three years, and annually thereafter two to supply the place of those whose term of office annually expired:

And whereas, The court of quarter sessions of said county of Lebanon, omitted in said charter to designate the corporate officers in whom the corporate powers of said borough should be vested; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the election of said officers and all acts done in pursuance thereof, by the said officers respectively, are hereby confirmed and made as valid and legal as if they had been designated in said charter

and elected in pursuance thereof; and all officers heretofore elected in said borough, shall serve the full term for which they were chosen, and all acts done and to be done by them hereafter, in their official capacity, to be of like binding effect and validity.

SECTION 2. That the corporate powers of said borough shall hereafter be vested in a chief burgess, assistant burgess and six councilmen, to be elected by the qualified electors thereof, at the time and place in said charter mentioned as heretofore; and the said qualified electors shall also, as heretofore, annually elect two persons to serve as supervisors, one person to serve as high constable, and one person to act as wood corder; said officers to be under the control and immediate supervision of the corporate authorities of said borough, by whom their respective duties shall be prescribed. Election of borough officers, &c.

SECTION 3. That the burgesses and town council of said borough shall also designate the mode and manner of filling all vacancies that may occur in the respective offices, and appoint all such subordinate officers as may be required for the purpose of carrying on the corporate affairs of said borough. Vacancies.

SECTION 4. The said burgesses and town council shall have full power and authority to open, widen and straighten, or cause to be opened, widened and straightened, all roads, streets, lanes and alleys in said borough, which have heretofore been ordained and laid out, or which may hereafter be ordained and laid out; and any person who shall sustain damage by reason thereof, shall have all the rights and remedies to have said damages assessed as are provided by the general road laws of this commonwealth. Powers of burgess and town council.

SECTION 5. That the first proviso contained in the twenty-seventh section of the said act, entitled "An Act to regulate boroughs," and all other laws inconsistent herewith, are hereby repealed, so far as they are applicable to the said borough of North Lebanon. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

LAWS OF PENNSYLVANIA,

No. 98.

A N A C T

For the Protection of Dogs in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, approved the sixth day of April, one thousand eight hundred and fifty-four, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," be and the same is hereby extended to the county of York.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 99.

A N A C T

For the Relief of Christopher Hollingsworth, Collector of the Military Taxes for the county of Lancaster.

WHEREAS, Christopher Hollingsworth, tax collector of Lancaster county, applied to the commissioners of said county for an abatement of the military tax of eighteen hundred and fifty-five, six and fifty-seven:

And whereas, Said commissioners had abated said tax which could not be collected and remains unpaid, but by operation of law said tax collector cannot receive the benefits of said abatement, of which law the commissioners and tax collector were entirely ignorant:

And whereas, An alias fi. fa. was issued against said tax collector and his sureties, for two hundred and nineteen dollars, with interest and costs, which fi. fa. or execution was stayed by the court until legislation could be obtained for the relief of the defendants; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the collector of the military tax for the county of Lancaster, for the years eighteen hundred and fifty-five, six and seven, may apply to the commissioners of said county for any abatement of said tax, on or before the first day of September next, and it shall be lawful for the commissioners to make any abatement of said taxes they shall deem just and equitable.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 100.

A N A C T

To incorporate the International Union of Art and Literature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles G. Leland, Sylvester J. Megargee, A. L. Randall, A. G. Duhamel, S. Sanford, Joseph L. Reed, Henry Sawtell, T. B. Read, Frank M'Laughlin, their associates and successors, are hereby erected into a body politic and corporate, in deed and in law, by the name and style of the International Union of art and literature, for the promotion of the arts of design, and the dissemination of a taste for pure literature in the United States, and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all the courts of law and elsewhere, with all the powers, rights, privileges, and subject to the restrictions contained in the second, third and fourth sections of an act to confer on certain associations of the citizens of this commonwealth, the powers and immunities of corporations or bodies politic in law, passed the sixth day of April, one thousand seven hundred and ninety-one.

SECTION 2. That the object of this association shall be the encouragement of the arts of design and the dissemination of a correct taste for pure literature throughout the community, by the purchase of pictures and other works of art, the distribution of engravings, the publication of books, pamphlets, or by such other means as may be most conducive to the proper fostering of art and literature. A suscription of three dollars per

Managers and
their election.

To appoint cer-
tain officers.

Powers of board
of managers.

annum shall constitute each subscriber a member of the association. The affairs of this association shall be conducted by a board of six managers, to be chosen annually by ballot, on the first Monday in March. The managers shall appoint a president, a vice president, a treasurer, a recording secretary and a corresponding secretary, either from themselves or from the managers generally. The managers shall have power to supply any vacancies in their own body. The board of managers shall adopt measures for procuring paintings, engravings and other works of art, and cause the same to be distributed among the subscribers. The board of managers, or the officers appointed by them, shall receive subscriptions, pay all demands against the association, and make such disposition of any surplus funds as shall to them seem best, or shall be specially directed by the by-laws.

Mode of distribu-
tion.

SECTION 3. The mode of distribution shall be the same as that provided for in the act, entitled "An Act to incorporate the Cosmopolitan Art association," approved the third day of May, one thousand eight hundred and fifty-five.

Capital stock.

SECTION 4. That the capital stock of the said association shall be twenty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, divided into shares of twenty-five dollars each; and there shall be paid into the treasury of the said association, by each person subscribing to the capital stock, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, and the remaining sum due on each share, shall be paid in such instalments, and at such times as the financial condition of the association shall require, to enable it to successfully carry into effect and accomplish the object for which it is intended, namely, the encouragement of the arts of design and the dissemination of a correct taste for pure literature.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 101.

A FURTHER SUPPLEMENT

To an act to incorporate the Tyrone and Lock Haven Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Tyrone and Lock Haven railroad company be and they are hereby authorized to borrow any sum or sums of money, not exceeding five hundred thousand dollars, and issue their bonds therefor, at such rates of interest, and in such sums and terms of payment as may be agreed upon between the parties, and secure the payment of said bonds by mortgaging their road, together with all its corporate rights and franchises, and also the whole or any part of their property, whether real or personal: *Provided,* That no bond shall be issued for a less denomination than one hundred dollars.

SECTION 2. That the first section of the act, entitled "A further supplement to an act to incorporate the Tyrone and Lock Haven railroad company," approved February first, A. D., one thousand eight hundred and fifty-nine, be and the same is hereby repealed.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 102.

A N A C T

To incorporate the Southwark Soup Society of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every person who shall at the time of this act be members of the association, called the Southwark soup society of Philadelphia, shall be and they are hereby created and declared

to be one body politic and corporate, by the name, style and title of the Southwark soup society of the city of Philadelphia, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of; and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not contrary to this charter or the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation and the due management and ordering of the affairs thereof: *Provided*, That the yearly rents and profits of the real estate held by the said corporation, shall not exceed the sum of six thousand dollars.

SECTION 2. That the following shall be the fundamental articles of said corporation:

ARTICLE I.

That the object of the association shall be the relief of the indigent poor of the city of Philadelphia.

ARTICLE II.

That the officers of the association shall be a president, treasurer and secretary, who shall be elected annually on the first Wednesday in December of each and every year, and to require satisfactory bonds from the treasurer, for the faithful performance of his duties.

ARTICLE III.

That the funds of the association and the interest arising therefrom, shall be appropriated to no other objects than those for which the society is instituted.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 103.

A SUPPLEMENT

To an act to incorporate the Borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

from and after the passage of this act, the borough of York, in the county of York, be and the same is hereby divided into five wards, bounded and limited as follows, to wit: That so much

of said borough as lies east of South George street and south of East Main street to the borough line, shall constitute the

First ward of the borough of York; that so much of said borough as lies north of East Main street to the borough line, and east of North George street to the Codorus creek and the borough

line, shall constitute the Second ward of said borough; that so much of said borough as lies north of West Main street to the

Codorus creek, and west of North George street to the Codorus creek and the borough line, shall constitute the Third ward of

said borough; that so much of said borough as lies west of South George street to the Codorus creek and the borough line,

and south of West Main street to the Codorus creek and the borough line, shall constitute the Fourth ward of said borough; and that so much of said borough as lies west of the Codorus

creek and which at present constitutes the West ward of said borough, shall constitute the Fifth ward of the borough of York.

SECTION 2. That the citizens within each of the said wards, qualified to vote for members of the general assembly of this

state, shall, on the day now provided by law for the election of officers of the general and township elections, and at such

places as are hereinafter designated, between the hours of eight A. M., and seven P. M., elect for each ward, by a majority of

votes, two persons having the like qualifications, to serve as councilmen, one of whom shall serve for one year, and one for

two years; and annually thereafter, at the same time and places, the said citizens shall in like manner elect one council-

man in each of said wards, to serve for two years; and in the event of a vacancy, from death, resignation or otherwise, the

same shall be filled by election, by the chief burgess and councilmen, of some citizen of said ward wherein said vacancy shall

occur, for the unexpired term thereof; and at the said borough elections the said electors shall elect a chief burgess to serve for

one year, who shall possess the like qualifications. At the said election and annually thereafter, the qualified electors of each

ward shall elect one constable, one judge of elections, two inspectors and one assessor, and in the year of the triennial assessment, one assistant assessor. The justices of the peace

shall remain as at present, until a vacancy shall occur, or a term expire by law, when the ward which shall have no justice of the peace, shall be entitled to the election, in the manner as now

Borough divided into five wards.

Boundaries of First ward.

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Elections, when and where held.

Of councilmen.

Vacancies

Chief burgess.

Constable, judge of elections, inspectors and assessor.

Justices of the peace

Officers to reside in the wards in which they are elected.	provided by law. All of the said officers shall be residents of the wards for which he or they shall have been elected, and they shall have the same duties to perform, and all the rights, powers and immunities that the same officers now have by the laws of the said borough and of this commonwealth, and be subject to all the laws and liabilities relating thereto. The
Returns, relative to.	judges and inspectors of said elections shall make out and certify a correct return of the members of town council elect, with the number of votes in favor of each, and shall within twenty-four hours after the closing of such election, give notice in writing to the chief burgess, and each of the members of the town council elect, of their respective elections; and shall also deliver, or cause to be delivered, the said return, together with
Returns to be delivered to board of councilmen.	the tickets, lists of tally papers and other documents, sealed up, to the board of councilmen, at their first meeting, which shall be on Tuesday following said election, between the hours of nine and eleven o'clock in the forenoon.
Each ward a separate election district.	SECTION 3. That each of said wards shall be and is hereby declared to be a separate election district, and the borough and general elections shall be held at the following places, until otherwise provided by law, to wit: The qualified electors of the
Elections in the First ward, where held.	First ward shall hold their elections at the school house in King street, in said ward, and that Joseph Dritt shall be the judge, and Henry Myers, Jr., and George Metzel, the inspectors, to hold the first election in said ward, under the provisions of this act.
Where held in the Second ward.	That the qualified electors of the Second ward shall hold their elections at the brick school house, on Queen street, and that Chas. H. Bressler shall be the judge, and Jacob Luttmann and Charles Collar, the inspectors, to hold the first election in said
In the Third ward.	ward under this act. That the qualified electors of the Third ward shall hold their elections at the brick school house in West Philadelphia street, in said borough, and that Peter Ford shall be the judge, and Anthony Lieben and John Metzel, the inspectors, to hold the first election in said ward under this act.
In the Fourth ward.	That the qualified electors of the Fourth ward shall hold their elections in the brick school house in East King street, in said borough, and that George Hay shall be the judge, and Elias Spangler and Thomas M'Cann, the inspectors, to hold the first election in said ward under this act; and that the qualified
In the Fifth ward	electors of the Fifth ward shall hold their elections at the same place at which the electors of the West ward hold their elections under existing laws, and that Michael Eppley shall be the judge, and Martin Bender and George F. Baugher, the inspectors, to hold the first elections in said ward under this act.
Quorum.	SECTION 4. That the majority of the whole number of the said members of town council shall be a quorum for transaction of all business, except for the purchase and sale of real estate, for mortgaging or incumbering the same, or for borrowing money, for which purpose a concurrence of two-thirds of the whole number of the members of council shall be required and entered upon the record.
Compensation of chief burgess.	SECTION 5. That from and after the passage of this act the compensation of the chief burgess of the borough of York shall be fixed by a majority of the councilmen elected under this act, and that the councilmen shall not receive pay or compensation.

SECTION 6. That the chief burgess and councilmen shall ap- Appointment of
borough officers.
point all the borough officers provided under existing laws.

SECTION 7. That this act shall not be construed in any man- Construction.
ner whatsoever to interfere with the common school districts as
at present constituted in said borough of York.

SECTION 8. That the electors of said borough shall, at the High constable.
time and annually thereafter, and in the manner hereinbefore
prescribed for the election of chief burgess, elect one high con-
stable to serve for the term of one year; and all acts or parts of
acts, inconsistent with the provisions of the foregoing sections Repeal.
of this act, are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one
thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 104.

AN ACT

Relating to Road Views and Road Damages in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same,* That
from and after the passage of this act the viewers appointed Additional du-
ties of viewers of
public roads
under existing laws, by the court of quarter sessions of the peace
in and for the county of Northumberland, to view, re-view, or
for any subsequent view, and to lay out any public road or high-
way within said county of Northumberland, shall in addition to
their duties of laying out, in all cases, public or private, where
they proceed to lay out any private or public road or highway,
also assess the damages which may be sustained by each and
every land-owner of any land through which such private or
public road or highway may be laid out. The viewers shall
determine, decide and certify in their report whether the peti-
tioner, the petitioners, the county, or the township or townships,
in which such road is to be located, shall pay the damages so
assessed; and where there shall be more than one view reporting
in favor of a private or public road or highway, then and in all
such cases, the damages shall be paid as is directed in the report
of the last view: *And also provided,* That the damages to be as- Provide.
sessed under the provisions of this act, shall not be paid until
the road shall be confirmed by the court and actually opened,

except when the petitioner or petitioners are directed to pay the damages; then in that case the damages shall be paid before the opening of the road.

Residence of
viewers

SECTION 2. That one and no more of the number of viewers required by existing laws shall be a resident of the township or townships where such road is to be located.

Opening and re-
pairing of roads.

SECTION 3. That all roads laid out under the provisions of this act shall be opened and repaired as is prescribed by existing laws.

Supervisors to as-
sess an additional
tax to pay dama-
ges, &c.

SECTION 4. That it shall be the duty of the supervisors of each township in the county of Northumberland, annually, at the time prescribed by the general road law, to lay or assess an additional amount of tax sufficient to pay all damages for the preceding year, which may have accrued on said township under the provisions of this act, and shall collect the same and be allowed by the township auditors the same compensation as directed by existing laws for similar services, and pay the same to the person or persons entitled thereto, within three months from the time of making such assessment: *Provided*, That no such tax shall be assessed on any township until so certified by the prothonotary of the county.

Proviso

Duty of pro-
thonotary.

SECTION 5. That it shall be the duty of the prothonotary, annually, on or before the first day of January, to make out certificates, one for each township in which damages are to be assessed and collected by supervisors under the provisions of this act, and therein specify the whole amount, and the amount collectively to be paid to each person, and the person or persons entitled thereto shall take out such certificate, and pay the fees of the prothonotary; and if neglected by said person or persons to take out such certificate until after the regular time of assessing road tax, then in that case such tax shall not be assessed until the next annual assessment.

Repeat

SECTION 6. That so much of any act of this commonwealth as is hereby altered or supplied, be and the same is hereby repealed, so far as relates to Northumberland county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 105.

A N A C T

To authorize the Schuylkill Valley Railroad Company, in the county of Schuylkill, to extend their Railroad from some suitable point near the town of Tuscarora, to connect with the Little Schuylkill Railroad at or near the town of Tamaqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it may and shall be lawful for the president and managers of the Schuylkill Valley railroad company, in the county of Schuylkill, to extend their railroad from some suitable point near the town of Tuscarora, so as to connect with the Little Schuylkill railroad at or near the town of Tamaqua, in said county, and to enter in and upon, and occupy such lands as may be necessary for the same, on the terms and conditions provided in an act regulating railroad companies, approved nineteenth February, one thousand eight hundred and forty-nine.

SECTION 2. That said company shall complete and open for use the said connection within eighteen months from the passage of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 106.

A S U P P L E M E N T

To the act to incorporate the Byberry and Bensalem Turnpike Road Company, approved March tenth, one thousand eight hundred and forty-eight.

WHEREAS, By act authorizing the making of said road, a great deal of free travel was permitted over said road, to the great injury of those who contributed in stock for the construction thereof:

LAWS OF PENNSYLVANIA,

And whereas, In making said road a heavy debt was incurred, which is secured by a mortgage on said road, at six per cent. per annum :

And whereas, All the income of said road is required to pay the interest on the debt, and to pay for necessary repairs; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the act incorporating the Byberry and Bensalem turnpike road company, which relates to persons traveling free over said road, be and the same is hereby repealed, except persons traveling in funeral processions, and persons traveling from one part of their farms to another, or volunteer companies when on parade in uniform.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 107.

A N A C T

To empower the Judges of the Court of Common Pleas of the counties of Beaver, Butler and Lawrence, to establish a Tariff of Fees and Costs in Equity Cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the judges of the court of common pleas of the counties of Beaver, Butler and Lawrence, to make and establish for said counties a tariff of fees and costs in equity cases.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 108.

A SUPPLEMENT

To an act to incorporate the Delaware and Schuylkill Basin Company, passed April ninth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the limitation contained in the twenty-second section of the act to which this is a supplement, requiring the works of the company to be commenced within four years, and completed within eight years from the passage of said act, be extended so as to allow the said company from and after the passage of this act, six years for the commencement, and ten years for the completion of their said work, according to the true intent and meaning of the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 109.

A FURTHER SUPPLEMENT

To an act to incorporate the Buffalo and Bradford Railroad Company, approved the fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Buffalo and Bradford railroad company are hereby authorized and empowered to receive lands in payment for subscription to the capital stock of said company, and to construct lateral roads, not exceeding twenty miles in length, in the counties of M'Kean and Elk, as they may deem essential for the transportation of the productions of said counties: *Provided,* That the amount of

land so received shall not exceed ten thousand acres, nor be retained by said company more than ten years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 110.

A FURTHER SUPPLEMENT

To an act regulating the manner of voting at the General Election in the counties of Wayne and Schuylkill, approved the eighth day of April, A. D. one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the qualified electors of Wayne county, at their township elections, shall vote for their township officers upon one slip or ticket: *Provided,* That the office for which every candidate is voted for, shall be designated and the ticket so folded as to conceal the names of the persons voted for; and on the outside of said ticket shall be written or printed the words, "Town Officers."

Electors to vote
upon one slip
ticket.

Proviso

Fraudulent vot-
ing, how pun-
ished.

SECTION 2. That any fraud committed by any person voting in the manner aforesaid, shall be punished as similar frauds are punished by the existing laws of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 111.

A FURTHER SUPPLEMENT

For the Division of the Borough of Allentown into Wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the territory now included within the limits of the borough of Allentown, as defined in the acts of March eighteenth, Anno Domini one thousand eight hundred and eleven, and the annexation ordinances, passed by the town council of said borough, on the thirtieth day of August, Anno Domini one thousand eight hundred and fifty-two, and on the fourteenth day of September, Anno Domini one thousand eight hundred and fifty-two, under and by virtue of the act of assembly, approved April third, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," be and the same is hereby divided into wards, as follows, to wit: All that part of the borough, bounded on the east by the river Lehigh, on the west by the Jordan, and on the north and south by the northern and southern boundary lines of the said borough, shall be known and designated as First ward. All that portion of the borough bounded on the east by the Jordan, on the north by Hamilton street, on the west by Seventh street and its extension to the Little Lehigh creek, and on the south by the southern boundary of said borough, shall be known and designated as Second ward. All that part of the borough, bounded on the east by Seventh street, on the north by Hamilton street, and on the south and west by the southern and western boundary lines of said borough, shall be known and designated as Third ward. All that portion of the borough bounded on the east by Seventh street, on the south by Hamilton street, and on the west and north by the western and northern boundary lines of the said borough, shall be known and designated as Fourth ward; and all that portion of the borough bounded on the east by the Jordan, on the south by Hamilton street, and on the west by Seventh street, and on the north by the northern boundary line of said borough, shall be known and designated as Fifth ward: *Provided*, That the First ward shall constitute one school district, and the Second, Third, Fourth and Fifth wards together one school district, as heretofore: *And provided also*, That whenever any additional territory shall hereafter be added to said borough, the town council shall have power to declare by ordinance to which of the aforesaid wards the same shall be attached: *Provided*, The same be contiguous to any of said wards.

SECTION 2. That each of said wards shall constitute and form a separate election district, and the electors therein shall, whenever it may be necessary, vote for and elect for each ward one justice of the peace, one constable, one assessor, and one judge and two inspectors of elections, to serve for the terms specified by law; and shall also, with the election of the other wards,

Borough defined
and divided into
wards.

First ward.

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Proviso.

Proviso.

Proviso.

Each ward a
separate election
district.

Officers.

Elections, when
and by whom
held.

vote for and elect one burgess and one high constable, to serve for one year, and one auditor, to serve for three years; which election shall be held at the places hereinafter mentioned, on the third Friday in March next; in the First ward by the election officers now in office in Lehigh ward; in the Second ward, by the election officers now in office in the South ward; in the Third ward, by Amos Ettinger, who shall act as judge, and George L. Rhue and Coleman A. J. Keck, as inspectors of election in said ward; in the Fourth ward, by E. R. Newhart, as judge, and John Hamman and C. J. Hagenbuch, as inspectors of election in said ward; and in the Fifth ward, by the election officers now in office in North ward, and thereafter annually on third Friday in March, by the judges and inspectors of said wards, elected under and by virtue of this act.

School directors,
number and elec-
tion of

SECTION 3. That hereafter the number of school directors in the district composed of the Second, Third, Fourth and Fifth wards, shall be eight, and elected as follows, to wit: The electors of the Second ward shall, at the first election after the passage of this act, vote for and elect one school director to serve for two years. The electors of the Third ward shall elect one school director to serve for one year. The electors of the Fourth ward shall elect one school director to serve for two years. The electors of the Fifth ward shall elect one school director to serve for one year; and annually thereafter each of the four wards shall elect one school director to serve for two years. The district composed of the First ward, shall annually vote for and elect two school directors to serve for three years.

Number and
election of mem-
bers of town
council.

SECTION 4. That the number of the members of town council of said borough shall be ten, and elected as follows, to wit: Each of said wards shall, at the first election after the passage of this act, vote for and elect one member of the town council, except the First ward, which shall, after the third Friday in March next, vote for and elect two members of the town council, one to serve for one year, and the other to serve for two years.

Elections, where
held

SECTION 5. That the ward and all other elections within said borough, shall be held at the following places, to wit: In the First ward at the public house now occupied by Joseph Rex; in the Second ward at the public house now occupied by Susanna Fried; in the Third ward at the public house now occupied by George Wetherhold; in the Fourth ward at the public house now occupied by John Metzger; and in the Fifth ward at the public house now occupied by Samuel Mozer.

Justices of the
peace.

SECTION 6. That nothing contained in this act shall in any way interfere with the justices of the peace now holding commissions in said borough; that John F. Halbach shall be the justice of the peace for the First ward; John D. Lawall shall be justice of the peace for the Fifth ward, and J. F. Rhue shall be the justice of the peace for the Third ward, until the expiration of their respective commissions; and the Second and Fourth wards shall elect, at the first election, justices of the peace for their respective wards.

Judges of elec-
tions when to
meet.

SECTION 7. That the election judges of the several wards in said borough, shall meet at the Eagle hotel in said borough, on the day succeeding each borough election, for the purpose of counting the votes cast for borough officers, and for the purpose

of making out proper returns of the election, to the council, and notifying the persons so elected to the different borough offices aforesaid; the return judges to receive one dollar for their services, to be paid by the borough treasurer. Compensation of return judges.

SECTION 8. That it shall be lawful for said borough and town council to borrow money for the use of the borough, not exceeding in the whole three dollars on every hundred dollars of the assessed value of the real and personal estate in the borough as aforesaid, for county purposes, and to issue certificates therefor, for any sum not less than one hundred dollars, bearing interest not exceeding six per cent. per annum: *Provided*, That the same shall not be disposed of at less than par value: *And provided further*, That such loans shall be subject only to the payment of state taxes. May borrow money, &c.

SECTION 9. That all laws now in existence, having reference to borrowing money in the borough of Allentown, and coming in conflict with this act, shall be and they are hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

— — —
No. 112.

A N A C T

To change the place of holding the General and Township Elections in the township of Upper Paxton, Dauphin county.

WHEREAS, The place of holding the general and township elections in the township of Upper Paxton, Dauphin county, was fixed by law at the public house of Jacob Buck:

And whereas, The said Jacob Buck has since removed and a public house is no longer kept there; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter the general and township elections for the township of Upper Paxton, in the county of Dauphin, be held at the Upper school house in Millersburg.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 113.

AN ACT

Relating to the Borough of Pottstown.

Town council,
election and
number of.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* at the next annual election of officers of the borough of Pottstown, the citizens of said borough shall elect nine persons to be a town council, three of whom shall serve for three years, three for two years, and three for one year, and each ballot shall state distinctly the term or terms for which the persons voted for shall serve; and at every subsequent annual election they shall elect three persons to serve for three years, and so many for such time as may be necessary to fill any vacancies from death, resignation or otherwise.

Term of council,
do.

SECTION 2. That the term of the council shall commence on the Monday next after their election, and that their first meeting shall be held within ten days after their election, at the usual place of meeting, at which first meeting one of their number shall be chosen by ballot as president of the council.

May issue bonds.

SECTION 3. That the town council of the borough of Pottstown aforesaid, be and they are hereby authorized to issue bonds to the amount of the outstanding debt of said borough, at the time of the passage of this act, and for no larger sum; said bonds to be issued in sums of not less than fifty dollars; and that hereafter it shall not be lawful for the town council to issue orders for an amount exceeding the tax assessed for the year.

Repeal.

SECTION 4. That all laws relating to the borough of Pottstown, inconsistent with this act, are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 114.

A N A C T

For the Sale of the Real Estate of William H. Richter, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alexander Jordan, guardian of Anne Richter, and Frederick Richter, guardian of Martha E. Richter, be and they are hereby authorized and empowered to join with Elizabeth Richter, the mother of William H. Richter, late of Snyder county, deceased, and the adult brother and sisters of said decedent, in the sale and conveyance of the real estate of said William H. Richter, deceased; and the said guardians shall have full power and authority to convey all the reversionary title, interest and estate of their respective wards in or to the said real estate, in fee simple, as fully to all intents and purposes as the said wards themselves might or could do if they were of full age: *Provided,* That before the said guardians of either of them shall make deed for any such property, they shall respectively give approved security, in such sum as the orphans' court of Snyder county shall direct, for the faithful appropriation of any proceeds of such sale as shall come into their hands.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 115.

A N A C T

To annul the Marriage Contract between William R. Priestly and Annie V. M. Priestly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between William R. Priestly

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and Annie V. M., his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as if they had never been joined in marriage.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 116.

A N A C T

Relative to the Elections in Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the qualified voters of the township of Jenner and Southampton, in Somerset county, on the third Friday of March next, to vote upon the question of the location, a change of the place of holding the general, special and township elections in each of said townships, with the same force and effect as if the said elections had been ordered by the court of quarter sessions of said county.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 117.

A SUPPLEMENT

To the act to incorporate the Newtown Square and Paoli Plank Road Company, approved the ninth day of January, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Newtown Square and Paoli plank road company be and they are hereby authorized to issue preferred stock, not exceeding eight thousand dollars in amount, for the purpose of paying the debts of the company and re-constructing their road; which stock shall be entitled to a dividend not exceeding eight per centum, as the directors of said company may determine, out of the earnings of the road, before any dividend is paid on the original stock issued by said company; and that the said company is hereby authorized to charge toll upon the whole or any part of their road, at the same rate per mile as is now authorized by law: *Provided,* That this act shall not go into effect unless first approved by a majority in value of the stockholders present at a meeting called for that purpose; ten days' notice of which shall be given by the president.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 118.

AN ACT

To extend the Powers of the High Constable of the borough of Media, in Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the high constable of the borough of Media, in the county of Delaware, in addition to his powers and duties under the act of

incorporation of said borough, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty, be and he is hereby invested with the full power of a township constable, relating to the service of civil and criminal process; and he shall receive the same fees as are now allowed by law to township constables for similar services: *Provided*, That before he shall be qualified to perform the general duties of a township constable as aforesaid, he shall comply with the requirements of the one hundred and twelfth section of the act of fifteenth April, one thousand eight hundred and thirty-four, entitled "An Act relating to counties and townships, and county and township officers."

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 119.

A N A C T

To authorize the School Directors of the borough of Bedford to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That to enable the school directors of Bedford borough, in the county of Bedford, to complete a school house now partly constructed, they are hereby authorized and empowered to borrow on the credit of said district, any sum or sums of money, not exceeding in the whole three thousand dollars, at any rate of interest not exceeding six per cent. per annum, and issue bonds therefor, in sums not less than one hundred dollars each; and the money so borrowed shall be exempt from taxation for a period of five years, unless sooner paid.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 120.

A FURTHER SUPPLEMENT

To the act to incorporate the Meadville Railroad Company, approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven.

WHEREAS, Under the provisions of the act to which this is a further supplement, the Atlantic and Great Western railroad company of Pennsylvania have, by deed of trust securing the payment of certain bonds of said company issued and to be issued, pledged so much of their contemplated road as is or may be located from Meadville eastwardly to the state line in Warren county, and westwardly to the state line in Mercer county, together with their stock, property and franchises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said deed of trust, so executed and given by the said Meadville railroad company, shall be taken and held to extend to all the property, rights, interests and remedies therein mentioned and contained, whenever and not until the same shall be ratified, approved and confirmed by a vote of the present stockholders, at a meeting to be called for that purpose, as other meetings of stockholders are authorized to be called, as also the rates and terms be fixed by them, upon which the bonds so secured by said deed of trust, may be sold or disposed of, by and in behalf of said company; and that the said company shall have the right to connect with any railroad or railroads running to or from the counties of Warren and Mercer.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 121.

SUPPLEMENT

To an act to incorporate the Johnstown Woollen Manufacturing Company.

Enrollment tax,
relative to pay-
ment of.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the payment of the enrollment tax by the Johnstown Woollen manufacturing company, letters patent shall be issued to said company, in like manner and with same force and effect. to all intents and purposes, as if the same had been paid and letters patent had issued within one year after the passage of the act of incorporation; anything contained in the act of April twenty-sixth, Anno Domini one thousand eight hundred and fifty-six, to repeal certain acts of assembly upon non-payment of the enrollment tax, to the contrary notwithstanding.

Board of direc-
tors, election and
acts legalized.

SECTION 2. That the election of the present board of directors of said company is hereby legalized, and all contracts entered into by said directors, and all acts and things done by them in pursuance of said act of incorporation, to which this is a supplement, are hereby declared legal, binding and effectual as though said company had been duly and legally organized and incorporated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 122.

AN ACT

To incorporate the Council Ridge and White Haven Railroad Company

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Cox, Algernon S. Roberts, Samuel Moore, William W.

Longstreth, J. Gillingham Fell, Franklin A. Comly, and Thomas E. Potter, of Philadelphia; Asa Packer, of Carbon county; and Ario Pardee, and Asa L. Foster, Ziba Bennet, H. B. Wright and V. L. Maxwell, of Luzerne county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Council Ridge and White Haven railroad Style. company, with all the powers and subject to all the provisions Subject to and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of the said the company Capital stock shall consist of four thousand shares of fifty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock to an amount not exceeding in the aggregate eight thousand shares.

SECTION 3. That the said company shall be and is hereby May borrow authorized to borrow money to an amount not exceeding its money authorized capital stock, and to issue bonds or certificates of loan therefor, either with or without coupons, bearing interest at a rate not exceeding seven per centum per annum, and to mortgage its property for the security of the said bonds: *Provided*, That no bonds shall be issued without the consent of the stockholders, and none for a less sum than one hundred dollars: *And provided further*, That the declaratory act, passed the Provide twenty-fifth day of February, one thousand eight hundred and fifty-six, respecting the interest on loan certificates issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, one thousand eight hundred and forty-two, referred to therein, shall extend to and be applied to the bonds or certificates of loan issued under the present act.

SECTION 4. That the affairs of the company shall be managed Officers. by a board of seven directors, one of whom shall be president; which directors shall be elected by the stockholders, in the manner provided in the act regulating railroad companies aforesaid.

SECTION 5. That the said company shall have the right to Route build and construct a railroad from a point on and connecting with the Lehigh Luzerne railroad, north of the tunnel through Council ridge, in the county of Luzerne; thence by such route as the directors of the said Council Ridge and White Haven railroad company may deem most expedient, to a point on and connecting with the Lehigh and Susquehanna railroad at or near White Haven, in the county of Luzerne: *Provided*, That the Provide whole length of the main line of the road so to be constructed, shall not exceed twelve miles, and that branch roads for the accommodation of the coal region may be constructed, not exceeding in the aggregate twelve miles more.

SECTION 6. That the terms and conditions of an act, entitled Subject to "An Act concerning the Lehigh Luzerne railroad company," approved the sixteenth day of April, one thousand eight hundred and fifty-eight, authorizing the companies owning connecting lines, to aid in the construction of its road to a limited

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extent, be and the same are hereby extended and made applicable to the Council Ridge and White Haven railroad company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 123.

A SUPPLEMENT

To an act to improve the Navigation of the River Lackawaxen, passed the thirteenth day of March, one thousand eight hundred and twenty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Delaware and Hudson canal company, be and they are hereby authorized to extend their railroads, with the necessary branches and fixtures, from the present terminus, in the township of Blakely, Luzerne county, to any part of the adjoining township of Providence, in said county of Luzerne, and to any lands now owned, or that may be hereafter purchased by them under the provisions of this act; the damages for taking lands in the construction of said roads and branches, to be assessed and secured in the manner pointed out in the provisions of an act passed the seventh day of April, one thousand eight hundred and fifty-eight, entitled "A supplement to an act to improve the navigation of the river Lackawaxen," passed the thirteenth day of March, one thousand eight hundred and twenty-three; and they are hereby authorized to purchase and hold an additional quantity of three thousand acres of land in the townships of Fell, Carbondale, Blakely and Providence, in the county of Luzerne, for the purpose of carrying on their operations.

SECTION 2. That in addition to the power now given to said company by the said act of March thirteenth, one thousand eight hundred and twenty-three, and its supplements, to erect dams on the Lackawaxen and its tributaries, for the purposes of the canal, the said company are hereby authorized to construct dams on the tributaries of Lackawaxen and the Lackawanna and its tributaries, for the purpose of creating water power to propel the cars over and upon the railroads now constructed, or hereafter to be constructed by them: *Provided, That the navi-*

Delaware and Hudson canal company authorized to extend their railroads.

Damages for taking lands, relative to.

Subject to

Authorized to hold additional quantity of land.

Additional powers.

Provided

gation of said streams shall not be obstructed, and that the damages thereby occasioned by taking and flowing land, shall be assessed and secured in the manner pointed out in the said act of March thirteenth, one thousand eight hundred and twenty-three, and its several supplements.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 124.

A FURTHER SUPPLEMENT

To an act to incorporate the North-Western Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bonus to be paid to the state of one half of one per cent. as required by an act to incorporate the North-Western coal and iron company, approved the nineteenth day of April, one thousand eight hundred and fifty-six, and by supplement thereto, the name of said company changed to the Buffalo coal and iron company, may be paid in four equal and annual payments on the stock as paid in, the first payment to be made in one year from the organization of the company by the election of directors. Bonus, relative to payment of

SECTION 2. That in addition to the corporators named in the aforesaid act, Thomas Dickson, Michael Meylert, William H. Perkins, W. A. Chittenden and Francis B. Streeter, are hereby made corporators, who, with their associates, successors and assigns, are hereby declared to be a part of said incorporated company, to enjoy all and singular the rights and privileges of the same, in the same manner as though their names were contained in the act to which this is a supplement; and that the corporators named in the aforesaid act, and in this supplement thereto, or a majority of them, shall call the first meeting for the election of directors, to be held at such time and place as they may designate, and those attending said meeting in person, or by proxy, shall elect a board of directors to serve until the first annual election thereafter, and until others are chosen. Additional corporators.

SECTION 3. That the real estate authorized to be held by the act to which this is a supplement, on lease and in fee simple, First meeting for the election of directors

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for the objects and purposes declared in said act, may lie in any parts of Butler, Armstrong or Westmoreland counties, convenient for the operations of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 125.

A N A C T

Relative to Roads in the township of Great Bend, county of Susquehanna.

Compensation of
path-masters.

SECTION 1. *Be it enacted by the Senate and Houses of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, in the township of Great Bend, county of Susquehanna, the path masters shall be allowed in the settlement of their accounts, the sum of one dollar per day for each day necessarily employed on the roads in their respective districts.

Penalty for re-
fusing to act as
path-master.

SECTION 2. That if any path master in said township shall neglect or refuse to perform any of the duties required of him by law, he shall forfeit and pay the sum of twenty dollars, to be recovered by action of debt in the commonwealth, before any justice of the peace of the county, to be applied towards repairing the highways of the said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 126.

A N A C T

Authorizing the Court of Quarter Sessions of Columbia county to appoint Auditors for Conyngham township, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of Columbia county be and they are hereby authorized and required, immediately after the passage of this act, to appoint three suitable, competent and disinterested persons, citizens of the said county of Columbia, to fill the office of auditors for the township of Conyngham, in said county of Columbia, one of whom to serve for three years, one for two years, and one for one year, from their said appointment; and the said court shall annually thereafter appoint one similar person to fill said office for three years, and shall fill by appointment, from time to time, any vacancy or vacancies in said board of auditors. Said auditors thus appointed to receive from said township the mileage allowed by law to jurors, together with the usual compensation provided by law for township auditors.

SECTION 2. That this act shall continue in force for five years and no longer, unless extended by the legislature; but the auditors appointed by the court during its continuance, shall continue in office until the expiration of the term for which they are appointed.

SECTION 3. That all laws inconsistent herewith be and the same are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 127.

AN ACT

To incorporate the Boatmen's Insurance Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That John S. M'Millin, Andrew Miller, James Woodburn, Evan Evans, Thomas Kennedy, M. W. Beltzhoover, Harry Mason, C. A. Dravo, James R. Hendrickson, Charles Barnes, John Flack, John B. Livingston, Andrew Fulton, G. W. Coffin and James Kennedy, of Allegheny county; Thomas Shuman, of Fayette county; and William C. Harry, of Beaver county, and all other persons who may hereafter associate with them, be and they are hereby made and constituted a body politic and
Name and location.	corporate, by the name of the Boatmen's insurance company, to be located in Allegheny county, with power to establish agencies elsewhere; said company to be subject to all the
Subject to	limitations and restrictions, and to have and enjoy all the rights, powers, privileges and immunities provided and enacted by an act of assembly, passed the second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," and to be organized and managed according to the provisions of said act.
Powers, &c.	SECTION 2. That the company hereby incorporated, shall be a company of the first class designated in the seventh section of said recited act, and shall be and is hereby empowered to
Risks, relative to	take the risks specified for the first class of insurance companies mentioned in said seventh section, and shall transact its
Proviso.	business upon the mutual principle exclusively: <i>Provided however,</i> That if at any time the members of said insurance company for the time being, or a majority of them, shall designate in writing to the board of directors of said company, their desire to connect with the mutual principle a joint stock capital,
Joint stock capital.	or to convert the said company into a joint stock company, then and in that case the board of directors, or their successors in office duly elected, shall within sixty days after the consent of a majority of the members of said company shall have been obtained in writing as aforesaid, proceed to act as commissioners to receive subscriptions to the capital stock, which shall not exceed two thousand shares of fifty dollars each, and proceed in all respects as required by the provisions of said act of second April, Anno Domini one thousand eight hundred and fifty-six: <i>And provided further,</i> That in such case the said company shall
Proviso.	not take any risks otherwise than on the mutual principle, until the governor of this commonwealth shall have issued his letters patent under his hand and the seal of state, as provided in the
Risks.	second section of said recited act of assembly; which letters patent shall continue said corporation with the superadded rights, powers and privileges of a joint stock company.

SECTION 3. That the corporators named in the first section of this act, shall have power to receive applications for insurance at any time after the passage of this act; and so soon as the amount of insurance applied for shall amount to sixty thousand dollars, the said corporators, or a majority of them met for that purpose, shall elect by ballot, from their own number or from the applicants for insurance, twelve persons, who shall serve as directors of said company until the first annual election, or until new directors shall be chosen, as directed by said recited act of assembly, and shall thereupon proceed to manage the affairs and transact the business of said company.

Power of corporators.

Election of directors.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 128.

AN ACT

To repeal an act relative to Roads and Bridges in Jackson township, Huntingdon county, approved the twenty-second April, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act relative to roads and bridges in Jackson township, Huntingdon county," be and the same is hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 129.

A SUPPLEMENT

To an act to incorporate the Union School and Children's Home Asylum ;
to provide for the Taxation of non-resident Venders of Merchandize in
the city of Philadelphia, and for the relief of Edward Hutchinson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ninth and tenth sections of the act to which this is a supplement, passed and approved the twelfth day of April, in the year of our Lord, one thousand eight hundred and fifty-one, be and the same are hereby extended to the county of Allegheny.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 130.

AN ACT

Relative to the appointment of Road and Bridge Viewers in the county of Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the court of quarter sessions of the county of Somerset, in all applications for the appointment of road and bridge viewers, shall appoint three suitable persons, one of whom to be a practical surveyor.*

SECTION 2. That all existing acts relative to the appointment and number of road and bridge viewers, inconsistent with this act, be and the same are hereby repealed so far as relates to the county of Somerset.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 131.

A N A C T

To reduce the number of Directors of the American Mutual Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors to conduct the business of the American mutual insurance company of Philadelphia, is hereby reduced from twenty-five to fifteen, to be chosen annually, as provided in the eighth section of an act, entitled "A supplement to the act, entitled 'An Act to incorporate the American insurance company of Philadelphia,' approved the second day of March, one thousand eight hundred and forty-four."

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 132.

A N A C T

Establishing the place for holding Elections in the First Ward of the city of Carbondale.

WHEREAS, The place of holding the election in the First ward of the city of Carbondale, has been consumed by fire, and it is necessary, in order to enable the citizens of said ward to hold their spring elections, to appoint a place therefor, and no term of court of the county of Luzerne intervening the term for holding said election ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the legal place of and for holding the elections for the election district of the First ward

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of the city of Carbondale, shall be at the Washington House, in said First ward of said city.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 133.

AN ACT

Establishing the place for holding Elections in the township of Carbondale.

WHEREAS, At the last fall election the election board and voters of the township of Carbondale were notified that they would not longer be allowed to hold the election for said township at the Harrison House, which is the place of holding the elections as established by law, and it is necessary, in order to enable the citizens of said township to hold their spring election, to appoint a place therefor, and no term of court of the county of Luzerne intervening before the time for holding said election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the legal place of holding the elections for the election district of the township of Carbondale, shall be at the office of William Root, in the city of Carbondale.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 134.

AN ACT

To regulate the Compensation of County Commissioners, Poor Directors, Auditors and Jurymen in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful for the commissioners of Northampton county, in addition to their present daily pay, to charge and receive six and a quarter cents per mile for every mile circular necessarily traveled to and from their respective residences and the place of their official business: *Provided,* That mileage to and from the county seat shall not be chargeable oftener than once per week. Compensation of commissioners

SECTION 2. That it shall be lawful for the directors of the poor and of the house of employment for the county of Northampton, in addition to their present daily pay, to charge and receive six and a quarter cents per mile for every mile circular necessarily traveled to and from their respective residences and the place of their official business: *Provided,* That mileage to and from Gnadenthall shall not be chargeable oftener than once per month. Directors of the poor.

SECTION 3. That all persons serving as grand, petit or traverse jurors, or common jurors, at any regular, special or adjourned court of said county, shall receive fifty cents per day, in addition to their present compensation; and all witnesses in attendance at the said courts shall receive twenty-five cents per day in addition to their present compensation. Of jurors.

SECTION 4. That hereafter the county auditors of Northampton county shall receive the sum of two dollars and fifty cents per day for each and every day they shall be necessarily employed at their official duties; and so much of any law as is inconsistent with this act, is hereby repealed: *And provided,* That so much of an act of assembly, entitled "A supplement to an act, entitled 'An Act to reduce the expenses of Northampton county,' approved January twenty-sixth, one thousand eight hundred and forty-six," approved March thirteenth, one thousand eight hundred and forty-seven, as limits the salary of the county commissioners, shall not be held to apply to the compensation of any commissioner for services rendered and time spent in and about the erection and construction of any public buildings for the said county of Northampton. Of auditors

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 135.

A N A C T

Relative to the Election of Supervisors in the township of Salem, in the county of Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Four supervisors
to be elected.

hereafter the qualified voters of the township of Salem, in the county of Westmoreland, shall elect four supervisors of roads, under the same regulations, and subject to the same provisions as now exist by law, except that of the four persons to be elected at the next ensuing township election, two persons shall be elected to serve for the term of one year, two persons to serve for the term of two years, and that at every ensuing township election thereafter, two persons shall be elected to the office of supervisor to serve for the term of two years.

Term of service.

Duty of supervisors.

SECTION 2. That it shall be the duty of the supervisors elected in pursuance of the provisions of the first section of this act, immediately after their organization as a board of supervisors, to divide the township into four divisions, as nearly equal as possible, to be numbered one, two, three and four.

Election of supervisors.

SECTION 3. That at every township election held after the first ensuing election under the provisions of this act, the qualified voters of said township shall vote for two persons for the office of supervisor, and that each ticket shall be labelled "Supervisors," together with the number of the divisions for which such persons shall be elected, and that each person so voted for shall be a resident of the divisions in which, if elected, it shall be his duty to serve.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 136.

A N A C T

To amend the Road Laws of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers, appointed by the judges of the court of quarter sessions of Montgomery county, shall be six, at least five of whom shall view, and any four of whom shall decide in all cases of view or re-view, or any subsequent re-view, if the said court shall so order and direct; that each of the said viewers, so appointed, shall receive one dollar per day, and six cents a mile for every mile necessarily traveled: *Provided*, That said mileage does not exceed one dollar for each viewer. Road and bridge viewers, relative to.

SECTION 2. That before any view in any of the cases above mentioned, public notice shall be given in at least two newspapers published in the county of Montgomery, for two successive weeks, of the time and place of meeting, signed by viewers so appointed, in papers nearest said road. Notice of, to be published.

SECTION 3. That if the viewers, after being duly qualified, shall decide in favor of locating a public road, they shall endeavor to procure from the owners of lands over which it shall pass, releases in writing of all claims to damages that may arise from opening the same; and if they fail to procure releases, they shall assess the damages, if any be done thereby, and return the same, together with the releases obtained, to the court, to be filed and entered. Releases from owners of land. relative to.

SECTION 4. That if the said court shall be satisfied that the amount of damages assessed in any case, is such that the public interest will be subserved by the payment and opening of the road, they shall confirm such view, re-view or subsequent view and assessment, which shall be paid as directed by law; but if the said court shall not be satisfied, the report shall not be confirmed, unless the damages so assessed be first paid by the petitioners or others interested. Damages.

SECTION 5. That the court charges, advertising, pay and mileage of the viewers, shall be paid by the petitioners or others interested, whose duty it shall be to furnish a draft or plot of the road so viewed for opening or vacation. Petitioners to pay certain expenses.

SECTION 6. That all laws inconsistent herewith and applicable to the county of Montgomery, be and the same are hereby repealed: *Provided*, That nothing herein contained shall be so construed as to affect any proceedings commenced or pending in said court, relative to the laying out or vacating any road within said county, nor be held to apply to any road laid out Repeal. Provide.

by authority of any special act of assembly of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 137.

A SUPPLEMENT

To the act approved April tenth, one thousand eight hundred and twenty-six, entitled "An Act to protect the Public in the full benefit and enjoyment of the works constructed for the purposes of Inland Navigation."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, when any boat, craft or floating thing, in passing upon the Schuylkill navigation, shall meet with any other boat, craft or floating thing, it shall be the duty of the boatmen or other persons having charge of the said boats, crafts or floating things, to turn out so far as to give each other a free passage in the manner following, to wit: Ascending boats shall keep on the tow-path side, and descending boats on the berme side: *Provided, That* boats propelled by steam shall keep the berme side in all cases, except when meeting a boat propelled by steam coming in the opposite direction, in which case the ascending steamboat shall keep to tow-path side; and every person violating any of the provisions of this section, shall forfeit for each offence any sum not exceeding twenty dollars, to be recovered as provided by the fifteenth section of the act to which this a supplement.

SECTION 2. All acts and parts of acts inconsistent with the foregoing section, are hereby repealed, so far as refers to the Schuylkill navigation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

Passing of boats,
&c, relative to.

Proviso

Penalty

Repeal

No. 138.

AN ACT

To provide for the payment of the Expenses of the Special Election held in Luzerne county, June eighth, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Luzerne be and are hereby authorized and required to pay, by orders upon the treasurer of said county, or otherwise, to the return judges, judges, inspectors and clerks, and all other usual expenses, including printing, of the special election in the county of Luzerne, held the eighth day of June, Anno Domini one thousand eight hundred and fifty-eight, under and by virtue of an act, entitled "An Act to provide for the erection of a house for the employment and support of the poor for the county of Luzerne," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, in like manner and with like compensation as is now provided by the laws of this commonwealth for similar services in case of general elections.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No 139.

AN ACT

Authorizing the qualified Voters of the township of Hamilton, in the county of Monroe, to elect two additional Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the qualified voters of the township of Hamilton, in the county of Monroe, annually to elect four su-*

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pervisors of roads and highways for said township, at the same time and place now fixed by law for the election of supervisors.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 140.

A SUPPLEMENT

To an act authorizing the appointment of an Auctioneer in the borough and township of Wilkesbarre, Luzerne county, approved the fifth day of March, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the rights and privileges granted by the act to which this is a supplement, to the auctioneer for the borough and township of Wilkesbarre, the said auctioneer is hereby authorized to sell at public auction, at such time and place as he may select within said borough and township, all kinds of goods, wares and merchandize, and all kinds of property: Provided, That the said auctioneer shall pay, if he has not already paid, to the county treasurer of Luzerne county, for the use of the commonwealth, for his commission, the sum of twenty-five dollars.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 141.

A SUPPLEMENT

To an act incorporating the borough of Duquesne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the citizens of the borough of Duquesne, in the county of Allegheny, shall elect, on the third Friday in March, in the year Anno Domini one thousand eight hundred and fifty-nine, one suitable person to serve as burgess, and six suitable persons to serve as councilmen; the term of their office to expire on the first Thursday following the second Tuesday in January, in the year Anno Domini one thousand eight hundred and sixty.

Election of borough officers. term of service. &c.

SECTION 2. That the time of holding the election for municipal officers of the borough of Duquesne, shall, after the year Anno Domini one thousand eight hundred and fifty-nine, be on the second Tuesday in January.

Time of holding election.

SECTION 3. That the same number of officers as set forth in section first, shall be elected every succeeding year; and three members of council and the burgess, or in the absence of the burgess, four members of council, shall constitute a quorum.

Number of officers elected annually.

Quorum.

SECTION 4. It shall be the duty of the burgess, thirty days prior to the time of holding the municipal election of the borough of Duquesne, to issue his proclamation and therein set forth all the various offices to be filled during the coming year.

Duty of burgess.

SECTION 5. It shall be the duty of a majority of the councils, if any member of council neglects to attend three succeeding regular meetings of council, to declare the seat of such councilmen vacant, and to order an election to fill such vacancy.

Of councils.

SECTION 6. So much of any law or laws as is inconsistent with the provisions of this act, is hereby repealed.

Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 142.

A N A C T

Confirming the Sale of the German School house and Lot of Ground in Myerstown, Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Daniel Mosser and William Lehman, trustees of the school house and lot of ground, situate in Myerstown, Lebanon county, commonly known as the German school house, bounded on the north by Main street, east and south by land of Daniel Seltzer, and west by lot of William Tice, containing about fifty-six perches of land, which was sold by public vendue, under the direction of the inhabitants of Myerstown and vicinity, to John F. Steiner, of the same place, by the said trustees, on the eighteenth day of October, Anno Domini one thousand eight hundred and fifty-six, for the sum of six hundred and ninety-five dollars, be and they are hereby authorized to execute and deliver a deed for the said school house and lot of ground, unto the said John F. Steiner, or other purchaser thereof, conveying the same to him in fee simple, clear and discharged from the trusts mentioned in any deeds of conveyance relative thereto; and that the proceeds of the said sale, after paying expenses, be applied to the purchase of land for a burial ground, to be in common for the use of the Evangelical Lutheran and German Reformed congregations of Myerstown and vicinity, and for such other persons of the same place as may desire to bury their dead therein, subject to the joint rules and regulations of the said Lutheran and Reformed congregations.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 143.

A N A C T

Changing the place of holding the General and Township Elections in Jackson township, Huntingdon county.

WHEREAS, The house in which the general and township elections have been held, in Jackson township, Huntingdon county, has been sold, and it is the purpose of the present owner to occupy and use it as a private residence, and it is desirous that the place of holding the election in said township should be changed to a public house:

And whereas, The court of quarter sessions of Huntingdon county will not hold a session until after the time for holding the next spring election will have elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections in the township of Jackson, Huntingdon county, shall be hereafter held at the public house of Edward Little, at M'Aleny's Fort, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 144.

A N A C T

To incorporate the Suffolk Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Cadwallader, George C. Presbury, William S. Campbell, Thomas Z. Johnson, John A. Whartenly, William T. Yates, S. H. Gilbert, Robert J. Hemphill, Constantine Jones, George Magee, George Richards, Lewis B. Coffin, M. Edwards, J. King,

T. G. Barratt, T. Beatty, William King, S. Irving, William Ulrick, Charles Pluck, and their associates and successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Suffolk park association, to be located in or near the city of Philadelphia, with a capital stock of two hundred thousand dollars, to be divided into shares of two hundred dollars each, and shall possess all the powers and privileges, and subject to all the restrictions of an act incorporating the New Castle park association of Lawrence county, approved February twentieth, Anno Domini one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 145.

AN ACT

To authorize the Citizens of Butler township, Schuylkill county, hereafter to elect but one Supervisor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified voters of the township of Butler, in the county of Schuylkill, be and they are hereby authorized and required to elect but one supervisor of highways for said township, who shall receive the sum of one dollar and fifty cents per day for every day he shall be necessarily employed in the discharge of his duties as supervisor.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 146.

A SUPPLEMENT

To an act to incorporate the Allegheny and Buffalo Run Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said company may have power to build their road from Buffalo run to any point at or near the "Farmers' High School of Pennsylvania," and that the time for completing said road be extended to the first of January, one thousand eight hundred and sixty-five.

SECTION 2. That the president and managers of the said Allegheny and Buffalo Run plank road company be and the same are hereby authorized to borrow any sum of money, not exceeding fifteen thousand dollars, to be applied to the building of said road, and to issue the bonds of said company therefor, in bonds of a denomination of not less than one hundred dollars, in such manner and such terms as said president and managers may deem proper.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 147.

AN ACT

To change the place of holding the Elections in the borough of Newville, county of Cumberland.

WHEREAS, The house at which the elections are held for the borough of Newville, in the county of Cumberland, has become so dilapidated as to become unfit for use; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the place of holding the general and borough elections for the borough of Newville, in the county of Cumberland, be so changed that hereafter these elections shall be held at the east end of the public school house, erected on the same lot in said borough on which the building was erected in which the elections were formerly held.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 148.

AN ACT

Relating to certain School Taxes in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school treasurer of the township of Oliver, in the county of Jefferson, be and he is hereby authorized to return to the commissioners of said county, the taxes assessed for the year Anno Domini one thousand eight hundred and fifty-seven, upon the unseated lands in said township, for school purposes; and the commissioners of said county are hereby authorized and required to have the same collected in like manner and with the like effect as if the same had been regularly returned under previous laws of this commonwealth.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 149.

A N A C T

To authorize the Burgess and Town Council of the borough of Kittanning, to grade, curb and pave certain side walks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Kittanning be and they are hereby authorized to require and direct the curbing and paving of the side and foot walks of Market street, and such portions of Water street and Jefferson street, as they may deem proper and advisable, by the owner or owners of the lots of ground respectively fronting on said streets, on notice being given said owner or owners, under such general rules and regulations as may be ordained by the said burgess and town council: *Provided,* That not less than thirty days' notice shall be given said owner or owners, of the action and determination of the burgess and council: *And provided further,* That before any owner shall be required to curb and pave under the provisions of this act, the said burgess and town council shall, at the expense of said borough, fix and establish a grade on said streets, according to which the said curbing and paving shall be done; and the said burgess and town council shall have full power to make gutters on said streets, at the expense of said borough.

Side walks of certain streets to be curbed and paved.

Proviso.

Proviso.

SECTION 2. That if such owner or owners shall neglect or refuse to proceed in accordance with the requirements and directions of the burgess and council, under the foregoing section, and within the time prescribed by the general regulations, then the burgess and council shall cause the same to be done, and collect the cost of the work and materials from said owner or owners; and a bill of particulars of such labor and materials, the name or names of the actual or reputed owner or owners, as also of the occupier or occupiers for the time being, shall be set forth and filed in the court of common pleas of Armstrong county, within thirty days after such expenses shall have incurred, or within thirty days after the work shall have been completed, and be proceeded upon in like manner and with like effect as is directed by law relative to mechanics' liens.

Duty of burgess and council upon refusal to curb, pave, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 150.

A N A C T

Repealing the act relative to Roads and Bridges in the county of Mercer.

Certain acts re-
pealed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the second day of April, Anno Domini one thousand eight hundred and forty-five, relative to roads and bridges in the county of Mercer, and all the supplements thereto, be and the same is hereby repealed.

Viewers of roads,
relative to.

SECTION 2. That in all cases where a road is now or may hereafter be laid out in the said county of Mercer, in pursuance of any act of assembly, the court of quarter sessions of said county shall have power, upon the petition of the citizens of any township in said county through which said road passes, to appoint viewers to review, alter or vacate the same, whether it has been opened or not, and upon a report being made to the said court by the said viewers or a majority of them, the said road may be altered or vacated by said court, according to the report of said viewers; and any law or acts of assembly repugnant to or inconsistent with the provisions of this act, be and the same are hereby repealed so far as relates to the county of Mercer.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 151.

A N A C T

Relative to the township of Croyle, in the county of Cambria.

Preamble.

WHEREAS, Proceedings have been had in the court of quarter sessions of Cambria county, erecting a new township, called Croyle, out of a portion of the township of Summerhill, in said county:

And whereas, The said court omitted to order a vote of the qualified electors of the said township of Summerhill to be taken on the question of a division thereof, for the purpose aforesaid:

And whereas, The inhabitants of the said township of Summerhill are well satisfied with such division, and approve the erection of the said township of Croyle; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the decree of the said court, together with all other proceedings touching the erection and organization of the said township of Croyle, be deemed and held valid and effectual to all intents and purposes; and the said township of Croyle is hereby declared established, according to the boundaries returned therefor to the said court, as fully and effectually as if the said decree and proceedings had been regular in every particular. Certain proceedings made valid.

SECTION 2. That the election held in the said township of Croyle, on the eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine, now past, for judge and inspectors of election, school directors and the several township officers, be declared legal and valid, and the said officers then and there elected, be declared as fully authorized to fill and act in said offices, as if this act had passed previous to the said eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine. Certain election made valid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 152.

A N A C T

Relating to Auctions and Auctioneers within the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly of the seventh of April, one thousand eight hundred and thirty-two, entitled "An Act regulating auctions in the city of Lancaster, and other towns in this commonwealth," and the provisions of the act of assembly

LAWS OF PENNSYLVANIA,

of the sixth of April, one thousand eight hundred and thirty-three, supplementary to said act, be and the same are hereby extended to the county of Lawrence, except so far as the same are supplied by the seventeenth section of the act of the third of April, one thousand eight hundred and fifty-one, relative to the appointment of an auctioneer in the county of Lawrence, and for other purposes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 153.

A N A C T

To authorize the Commissioners of York county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of York county be and they are hereby authorized and empowered to borrow, upon the faith and credit of said county, at a rate of interest not exceeding six per centum per annum, any sum or sums of money as in the discretion of said commissioners may be deemed necessary for the payment of any debts that may have been or may hereafter be contracted, and for the purpose of paying for the erection of any county buildings, bridges, or any of the ordinary expenses of said county: Provided, The debts of said county shall at no time exceed in the aggregate the sum of forty thousand dollars: And provided further, That no bond or obligation shall be issued by said commissioners, for the payment of the same, of a less denomination than one hundred dollars.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 154.

A FURTHER SUPPLEMENT

To the act incorporating the Cambria Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the president and directors of the Cambria iron company, to create and issue any amount, not exceeding sixty-five thousand shares, of stock of the par value of ten dollars per share, to be used for the purpose of providing a fund for the redemption, by purchase or otherwise, of the second mortgage bonds of this company, falling due January first one thousand eight hundred and sixty-five, together with the interest thereon, and the balance for the purpose of increasing the cash means of the company; and that said stock may be sold or subscribed and paid for at par, either in money or in the second mortgage bonds of this company, and the accrued interest thereon; which said stock shall be deemed and taken as a preferred stock, and shall be entitled semi-annually to seven per centum per annum out of the profits made, or which may be made by the said company, until the same amount to a sum for each and every year, equal to seven per centum per annum on the said preferred stock, when the excess, if any, may be applicable to constitute a sinking fund, or to the payment of a dividend on the common stock; and if the profits shall amount to a sum sufficient to pay a dividend on both the preferred and common stock, equal to seven per centum, then the excess may be applied, without further discrimination, equally to the preferred and common stock, at a uniform rate per centum: *Provided*, That no dividend of profits shall be declared or made until all current expenses, repairs and interest on the company's debts shall be first paid or provided for.

SECTION 2. That on and after the passage of this act each share of stock, whether common or preferred, shall be entitled to one vote at any election to be held by said company, at any meeting of the stockholders thereof.

SECTION 3. That before this act shall take effect, it shall be approved by two-thirds in amount of the stockholders of said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 155.

A FURTHER SUPPLEMENT

To an act relating to a Burial Ground and School Lot in the borough of Pottsville.

Preamble.

WHEREAS, The school houses erected on the lot of ground referred to in the act of assembly of sixteenth March, one thousand eight hundred and thirty-nine, entitled "An Act vesting the title of a school house and burial ground in the corporation of the borough of Pottsville," and the supplement thereto, approved the twenty-first April, one thousand eight hundred and fifty-six, are in a ruinous state and inadequate for school purposes:

And whereas, The said premises are now and for a long time hitherto have been occupied and used for the school accommodation of the whole school district of Pottsville aforesaid, and the several schools therein maintained out of the general fund of said district; therefore,

Title to tract of land vested in Pottsville school district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title in and to all that certain lot or piece of ground aforesaid, set apart and used for school and burial purposes, be and the same is hereby vested in the Pottsville school district, in the county of Schuylkill.

Authorized to remove certain buildings.

SECTION 2. That the directors of said district be and they are hereby authorized to remove the present buildings on said lot, or so much of them as they may deem necessary, and to erect in their stead a new school house or houses, out of the general fund of school money raised by said district for like purposes; which said house or houses shall be for the use of the whole district aforesaid.

May borrow money.

SECTION 3. That the said directors be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding ten thousand dollars, to defray the expenses of erecting said house or houses, and to secure the money so borrowed by a bond or bonds, with mortgage or mortgages upon the real estate of said district, or otherwise, as they may see fit.

Bonds and mortgage exempt from taxation.

SECTION 4. That the said bond or bonds, and mortgage or mortgages, shall be exempt from the taxation directed by the act of assembly of the twenty-ninth April, one thousand eight hundred and forty-four, providing among other things for the taxing of money at interest on bonds and mortgages.

Repeal

SECTION 5. That so much of the aforesaid act of the sixteenth March, one thousand eight hundred and thirty-nine, and the

supplement thereto, as may be inconsistent herewith, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 156.

A N A C T

Relative to the claim of William Porter, for damages sustained by the construction of the Erie Extension of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized to pay to William Porter the sum of two hundred dollars, damages sustained by him in the construction of the Erie extension of the Pennsylvania canal, by cutting through a certain lot owned by said Porter, and which was thereby rendered almost worthless.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 157.

A N A C T

Relating to Auctions in the Borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the first section of the act approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act relating to the appointment of an auctioneer in the borough of York, in the county of York, and relative to the York and Gettysburg turnpike road company," be and the same is hereby repealed.

Certain act relative to auctions repealed.

Penalty for selling at public vendue. &c.

SECTION 2. That hereafter any person or persons who shall expose at public outcry or vendue any books or merchandize in the borough of York, shall, upon conviction, forfeit and pay a fine of not less than fifty nor more than five hundred dollars to the commonwealth, and the like proceedings shall be had against such person or persons as are directed by the third section of the act approved the sixth day of April, Anno Domini one thousand eight hundred and thirty-three, entitled "A supplement to the act regulating auctions in the city of Lancaster, and other towns in the commonwealth," passed on the seventh day of April, Anno Domini one thousand eight hundred and thirty-two: *Provided*, That nothing herein contained shall be so construed as to hinder or prevent the sale of horses, cattle, carriages, second hand household and kitchen furniture, farming utensils and mechanics' tools, real estate, or the remains of the stock of deceased merchants, or those who wish to close their business, or such sales as are authorized by the fourth section of the act passed the twenty-third day of September, Anno Domini one thousand seven hundred and eighty, entitled "An Act to alter and amend an act for the more effectual suppression of auctions and vendues, and to prohibit male persons capable of bearing arms from being hawkers and pedlers."

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 158.

A FURTHER SUPPLEMENT

To the act incorporating the borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess, town councilmen and high constable, chosen at the first election held under the provisions of an act, entitled "A supplement to the act incorporating the borough of York," approved the seventh day of March, Anno Domini one thousand eight hundred and fifty-nine, shall not enter upon the duties of their respective offices, until the expiration of the year for which the present chief burgess was elected; and the said chief burgess, the town councilmen, elected for one year, and high constable elected at said first election, shall serve until the first Tuesday after the third Friday of March, Anno Domini one thousand eight hundred and sixty; and the town councilmen elected at the said first election, for the term of two years, shall serve until the first Tuesday after the third Friday of March, Anno Domini one thousand eight hundred and sixty-one; and that in such ward or wards, in which burgesses now reside, who were chosen for the term of two years, at the borough election held in the year one thousand eight hundred and fifty-eight, there shall be no election for town councilmen to serve for one year; and the term of the said burgesses holding over shall expire on the first Tuesday after the third Friday of March, Anno Domini one thousand eight hundred and sixty; and that all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

When certain
borough officers
to enter upon
their duties.

Terms of service

Repeal

SECTION 2. That the qualified electors of the Fourth ward of the borough of York, shall hold their elections at the brick school house in West King street, in said borough, until otherwise provided for by law.

Place of holding
elections in
Fourth ward.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 159.

A FURTHER SUPPLEMENT

To an act to incorporate the City of Erie.

Powers and duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the mayor of the city of Erie to communicate to the councils of said city at least once a year, and oftener if deemed expedient, a general statement of the condition of the city in relation to its government, finances and improvements; to recommend the adoption of all such measures as he may deem proper for the security, health, cleanliness, improvement and welfare of the city, and to be vigilant and active in causing the laws and ordinances of the city to be duly executed; and the high constable, police, constables and watchmen, shall obey the orders of the mayor, and make report to him when acting under his directions, and be subject, generally, to his supervision and control in the discharge of their official duties; and the mayor shall have power to suspend any or either of them for reasons which he shall communicate to the councils at their first meeting, and if said councils shall so advise or approve, the person or persons suspended shall be dismissed by the mayor from further service; and for the purpose of suppressing any riot or other breach of the peace, when the ordinary police force is inadequate for the purpose, the mayor shall be invested with the same power and authority as the sheriff of the county, with authority to make a requisition upon the commanding officer of the military for aid when deemed necessary.

Ordinances involving liability of the city, relative to.

SECTION 2. That every ordinance and every resolution involving any liability of the city, which shall have passed both councils, shall be presented to the mayor for his approval; if he approve he shall sign it, but if he shall not approve, he shall return it, with his objections, to the clerk of the council in which it originated, which shall proceed to re-consider it; if after such re-consideration, two-thirds of that council shall agree to pass the ordinance or resolution, it shall be sent, with the objections, to the other council, by which likewise it shall be re-considered, and if approved by two-thirds of that council also, it shall be a binding ordinance or resolution; in such cases the votes of both councils shall be determined by yeas and nays, and the names of members voting shall be entered on the journals. Every ordinance or resolution which the mayor shall not so return within eight days, shall take effect as if it had been approved. In case of the temporary absence of the mayor or his inability to act, the councils shall appoint a mayor *pro tem.*, to serve until the mayor shall resume the duties of his office. The mayor shall cease to act as president of the select council, and the said council shall annually choose one of its members to preside at its deliberations, who shall vote as other members.

SECTION 3. That the said city is hereby divided into four wards with respect to the apportionment and election of members of councils; said wards to be enumerated and designated as follows: The First ward shall comprise and be constituted of that portion of the said city lying north of the centre of Eighth street and east of the centre of State street. The Second ward, of that portion of the said city lying south of the centre of Eighth street and east of the centre of State street. The Third ward, of that portion of the said city lying south of the centre of Eighth and west of the centre of State street; and the Fourth ward, of that portion of the said city lying north of the centre of Eighth street and west of the centre of State street; and from and after and at the next annual municipal election for members of the select and common councils of the said city, the said select and common councils shall be constituted and elected as follows: The common council shall consist as now constituted, of twelve members, three of whom shall be elected and chosen from among the resident citizens of each ward, as follows: Three from the First ward; three from the Second ward; three from the Third ward, and three from the Fourth ward; their terms of office to commence and expire as provided by an act, approved the fifteenth day of April, A. D. one thousand eight hundred and fifty-eight. The select council shall, from and after the next annual election as aforesaid, consist of eight members, two of whom shall be elected and chosen from among the resident citizens of each ward, as follows: Two from the First ward; two from the Second ward; two from the Third ward, and two from the Fourth ward; their terms of office to commence and expire as provided for by an act incorporating the city of Erie, and approved the fifteenth day of April, A. D. one thousand eight hundred and fifty-one; and five of the members of the said council shall constitute a quorum for the transaction of business: *Provided*, That if two members of said select council shall be elected from the same ward for the full term of three years, at any election, they shall, at the first regular meeting of the select council after said election, draw lots, and the member drawing the shortest term, to serve two years: *Provided further*, That the said subdivision of the said city, into four wards, as aforesaid, shall not increase the number of officers of any kind to be elected by, for, or in the said wards or city, except as hereinbefore or heretofore especially provided: *Provided*, That the present members of the said select and common councils shall serve to and for the full end and term for which they were severally elected.

Apportionment of city, relative to election of members of council.

Limits of First ward.

Second ward.

Third ward.

Fourth ward.

Select and common council, how constituted and elected.

Proviso.

Proviso.

Proviso.

SECTION 4. That upon the petition of the owners constituting a majority in value and in number, of all the real estate on any street or part of a street in said city, and of all the real estate on the adjoining half of the blocks adjoining said street, or part of a street, to have said street or part of a street lighted with gas, the councils of said city may and are hereby authorized to construct for the lighting of the same with gas, and fix by written agreement the price to be paid for the gas used to light said street or part of a street, to the extent prayed for in said petition, and to light the same with gas: *Provided*, That such petition, in order to authorize any action upon it by the said coun-

Relative to lighting streets with gas.

Proviso

- cils, must be accompanied with a statement, sworn to, setting forth consecutively the value and the names of owners of each piece of real estate on said street or part of a street, and on the adjoining half of the blocks or squares adjoining said street or part of a street; the value of said real estate to be estimated by the assessors, as hereinafter directed in section five; and in no case shall lights be erected, excepting at the intersections of the streets, unless lights in the centre of the blocks or squares are expressly petitioned for; and no contract for lighting any street or part of a street, shall be made for a longer period than three years: *Provided further*, That petitions to light streets across other streets which shall have been lighted prior to said last named petition, shall not be signed by the owners of real estate on said other streets, except owners of corner lots, at the intersections of said streets; and in such case the valuation of said corner lots shall be divided between the streets they front upon, in proportion to the number of feet front on each street.
- Assessments, relative to.** SECTION 5. That the said councils are hereby authorized to notify the assessor or assessors of either ward to make and return to them an assessment of all the real estate, without exception, on any street or part of a street, in said city, and of all the real estate, without exception, in the adjoining half of the block adjoining said street or part of a street, and the said assessor or assessors are hereby required to make such assessment in the same manner as they are now by law required to assess for the purpose of raising county rates and levies, and to return the same to said councils within thirty days after such notice, and the owners of such real estate shall have the same right of appeal to said councils that they have to the county commissioners in case of assessments for county purposes; and the said assessor or assessors shall be entitled to receive from the said city the same compensation that they are allowed for making the assessment for county purposes.
- Tax to be levied, &c** SECTION 6. That the said councils, immediately after making such contract for lighting a street or part of a street with gas, or for erecting posts and lamps thereon, shall by ordinance levy a tax upon all the real estate on said street, or part of a street, and upon all the real estate in the adjoining half of the blocks adjoining said street, or part of a street, lighted or contracted to be lit as aforesaid, to be called the street light tax, sufficient in amount to pay for the costs and charges of erecting such posts and lamps, and of lighting and keeping the same in repair from the time of their erection to the first of April then next, which said tax shall be levied and assessed upon the valuation of the said real estate made in accordance with the provisions of section five; and in each and every year thereafter during the continuance of said contract, said councils shall levy and assess, as aforesaid, such tax at the time of assessing other city taxes, sufficient in amount to pay for lighting said lamps and keeping the same in repair for the year next ensuing: *Provided*, That when one street is lighted across another street lighted at the intersection, said councils shall levy and assess upon the real estate upon each of said streets, one half of the expense of erecting the post and lamp at the intersection, and of lighting the same: *Provided further*, That said tax shall be specially set
- Proviso.**
- Proviso.**

apart and appropriated for the purpose for which it is levied, and not go into the general fund of the city: *And provided* Proviso. *further*, That said councils, whenever in their opinion the same would be equitable, may annually appropriate out of the general fund of the city, such per centage of the cost of lighting any of said street or parts of streets as they may deem proper.

SECTION 7. That if the said street light tax shall not have been paid by the first day of August of any year, the same shall be collected in the same manner and in accordance with the same rules and regulations as provided in the third section of an act relative to lighting the city of Erie with gas, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five. Street light tax, relative to payment of.

SECTION 8. That upon the petition of the owners constituting a majority in value and number of all the real estate fronting on any street or part of a street in the city of Erie, to have a sewer upon such street or part of a street, the said councils are hereby authorized to provide by ordinance for the construction of a sewer or sewers, drain or drains, in said street or part of a street, at the expense of the owners of the property thereon, and to provide all needful rules and regulations concerning the same: *Provided*, That said petition shall set forth the names of the owners and the number of feet front of each piece of real estate consecutively, on said street or part of a street; and the said councils, immediately after making provision for the construction of such sewer or sewers, drain or drains, shall by ordinance levy a tax upon the real estate fronting on said street or part of a street, sufficient in amount to pay all the costs and expense of such construction, and the costs of levying and collecting said tax; which said tax shall be levied and assessed on the property fronting on said street or part of street, by the foot front; and there shall be levied and assessed as aforesaid, such further sums on said real estate, at the time of making assessments for city taxes, as may be necessary to keep said sewer or sewers, drain or drains, in repair, from the head to the mouth of the same: *Provided*, That the city shall have the right to use such sewer or sewers, drain or drains, to carry off the surface water from the street; and the same powers are hereby granted to enforce the payment of the said tax, as are contained and provided for in the seventh section of this act. Construction of sewers, relative to. Proviso.

SECTION 9. That upon the petition of the majority in number and value, of the owners of real estate, upon any street or part of a street in the city of Erie, to have said street or part of a street graveled, graded, planked, paved, or otherwise improved, at the expense of the owners of real estate upon said street or part of a street, the said councils shall pass an ordinance to improve said street, in accordance with the prayer of said petition: *Provided*, That said petition shall set forth the kind or nature of the improvement asked for, and shall also set out consecutively the names of the owners and value of each piece of real estate upon said street or part of a street: *And provided*, That only the owners of real estate on said street or part of a street, within the ward in which said improvement may be asked for, shall be competent to sign said petition. That said councils shall, immediately after the passage of said Grading and paving of street, relative to. Proviso. Proviso.

ordinance to improve a street or part of a street, appropriate a sum not less than four-fifths (except in cases hereinafter provided for) of the city tax that may be next thereafter assessed and levied upon the real estate on said street or part of a street embraced in said petition, to help pay the expense of said improvement; and shall also assess and levy upon said last named real estate, in addition to the general city tax, an additional tax, denominated street improvement tax, sufficient to pay the balance of the expenses of making said improvement: *Provided*, That said councils shall not be required (unless they may deem it expedient) to appropriate out of the general city tax on said real estate, an amount exceeding four-fifths of the amount necessary to pay the expense of said improvement. That the said street improvement tax shall be collected in the same manner as is hereinbefore provided for the collection of gas tax, and shall be applied exclusively (deducting the cost of collection) to the payment of the cost and expense of making said improvement, in accordance with said ordinance.

Certain taxes to have priority of all other liens. SECTION 10. That all taxes levied in pursuance of the sixth and eighth sections of this act, shall have priority of all other liens upon the respective pieces or parcels of land thus assessed and levied upon.

Repeal. SECTION 11. That so much of the sixteenth section of the act approved the eighth day of April, A. D. one thousand eight hundred and thirty-three, as requires the annual statement of the accounts of the said city to be published in more than two newspapers printed in said city, is hereby repealed.

Repeal. SECTION 12. That all acts or parts of acts inconsistent herewith, are hereby repealed, so far as relates to the borough of Erie.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 160.

AN ACT

To incorporate the Philadelphia and New Orleans Steam Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Frederic Collins, Alfred D. Jessup, Elliston Perot, Henry Simons, Corporators.

James Marks, James E. Hand, Edwin H. Fidler, Edward C. Knight, John Furks, Daniel Haddock, junior, and Samuel Smyth, and their associates, and all persons who may now or hereafter may be holders of the stock hereinafter mentioned, shall and they are hereby declared to be constituted a body politic or corporate, by the style of the "Philadelphia and New Orleans Style.

steam navigation company," to have perpetual succession, to be capable in law of suing and being sued, to have a common Powers and privi-
 seal, and purchase, build, charter, contract for, employ, equip leges.

and fit out steamships, and all other vessels, with their appurtenances necessary and proper for the propulsion and navigation thereof, to be sailed and navigated upon the Atlantic or other oceans, and upon all public navigable tide waters from any port in the United States or elsewhere, for the purpose and object of carrying and transporting wares and merchandize, and conveying passengers and mails by means of such steamships and other vessels, and to hold and enjoy all necessary rights and powers for receiving and delivering, loading and unloading merchandize transported or to be transported in said steamships and other vessels; and it shall and may be lawful for the said Philadelphia and New Orleans steam navigation company, their successors or assigns, from time to time, and any time hereafter, (when in the opinion of the directors of the said company it may be proper so to do,) to mortgage, sell, exchange or dispose of the said steamships or other vessels, or any of them, or their appurtenances, or any part thereof; and further to have and enjoy all such other rights and powers as are or may be properly incident to a corporation, having for its object the transportation of merchandize and the conveyance of passengers and mails by the means of steamships and other vessels.

SECTION 2. That the capital stock of said corporation shall not Capital stock.
 exceed four hundred thousand dollars, divided into four thousand shares of one hundred dollars each, and that it shall be held as personal property, and as such be transferred under such regulations as the directors shall judge convenient.

SECTION 3. That the office of the company shall be in the city Location of office
 of Philadelphia, in the state of Pennsylvania.

SECTION 4. That the general meeting of the corporators and General meeting,
 stockholders shall be annually held on the second Tuesday of when held.
 May, for the election of five directors, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, two weeks' public notice thereof being first given in at least two daily newspapers in the city of Philadelphia, for each and every corporate meeting or election.

SECTION 5. That the election of directors shall be by ballot Election of direc-
 from among the stockholders, and in the enactment of by-laws tors.
 for the government of the corporation and its officers, and in the decision of all questions, the stockholders present, either in person or by proxy, shall severally have one vote for each share Votes.
 of stock held by them.

SECTION 6. That the directors shall continue in office until their successors be elected; shall elect a president from among

themselves; shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, unless otherwise provided by the stockholders, and at their meetings three members shall constitute a quorum.

SECTION 7. That until other officers shall be duly elected, the first five persons named in the first section of this act, shall be held to be directors of the said corporation, and shall have power and authority as such, and to receive subscriptions to the stock of the said company in such form as they may provide.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 161.

AN ACT

To confer on Henry Brodrick, of Carbon county, the rights and privileges of a Child born in lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Henry Brodrick, of Rockport, Carbon county, son of Thomas Brodrick, now of Jeansville, Luzerne county, shall have and enjoy all the rights and privileges, benefits and advantages of a child born in lawful wedlock, and shall be able and capable in law, to inherit and transmit any estate whatsoever, as fully and effectually, to all intents and purposes, as if he had been born in lawful wedlock.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 162.

A N A C T

To allow the Philadelphia Bank to buy additional Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Philadelphia Bank to purchase, for such price as they can obtain the same, and to hold the lot of ground situate on Chestnut street, between Fourth and Fifth streets, in the city of Philadelphia, lately owned by the Bank of Pennsylvania, and the building thereon erected, for a banking house, the provisions of any act of assembly to the contrary notwithstanding.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 163.

A N A C T

Relating to Road and Bridge Viewers in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers, appointed by the courts of quarter sessions of the county of Centre, shall be three, one of whom shall be a surveyor, if deemed necessary; and every view and re-view shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court; said viewers to receive the compensation now allowed by law.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 164.

A N A C T

Relative to the Northumberland Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the Northumberland improvement company be and the same is hereby changed to the Fulton coal company.

Capital stock.

SECTION 2. That the capital stock of said company is hereby reduced from six hundred to three hundred thousand dollars, and new certificates shall issue to the present stockholders, for the same number of shares that they now hold; but the shares shall each represent but one-half of the sum now named therein: *Provided,* That the said company shall pay to the state treasurer, for the use of the commonwealth, one-half of one per cent. on the said capital stock, in five equal annual payments, the first to be paid within one year from the passage of this act, together with such other taxes as now are or may hereafter be imposed upon companies of like description.

Proviso

SECTION 3. This act shall not take effect until its provisions are accepted by a majority of the stockholders of the company present at a meeting to be called for that purpose, of which at least ten days' notice shall be given, by publication in two daily newspapers in the city of Philadelphia; each share of stock to be entitled to one vote; and if a majority of the stock is voted in favor of the acceptance of the act, a certificate to that effect shall be filed in the office of the secretary of the commonwealth.

Votes

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 165.

A N A C T

Relating to Trustees of Farmers' High School of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* at all future meetings of the board of trustees of the Farmers' High School of Pennsylvania, five members thereof shall constitute a quorum competent for the transaction of business.

SECTION 2. That it shall be unlawful for the court of quarter sessions of Centre county to grant a license to any person or persons, for the sale of ardent spirits or malt liquors, at any place within two miles of the Farmers' High School of Pennsylvania, located in the said county. Unlawful to grant license.

SECTION 3. That the superintendent of the Pennsylvania State Lunatic hospital, be and he is hereby directed to deliver to the trustees of the Farmers' High School of Pennsylvania, to be arranged for exhibition and use in the museum of the said school, the cabinets of mineralogical and geological specimens belonging to the state, which were placed in the care of the said superintendent by the secretary of the commonwealth, in compliance with a resolution, approved the fifteenth of February, one thousand eight hundred and fifty-five. Mineralogical and geological specimens.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 166.

A S U P P L E M E N T

To an act to incorporate the South Mountain Railroad Company, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the time within which said railroad company (now called the Harrisburg and Hamburg railroad company) may commence their construction of their road, as provided by the fourth section of the act to which this is a supplement, be and the same is hereby extended for five years, and the time within which they may complete the same, for ten years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 167.

A N A C T

For the appointment of Auditors for the borough of Tunkhannock, in the county of Wyoming, and changing the time of holding Borough Election.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of the county of Wyoming be and are hereby authorized and empowered, upon the petition of not less than twenty of the taxable citizens of the borough of Tunkhannock, in said county, to appoint three suitable persons to act as auditors of said borough, whose duty it shall be to audit, settle and adjust all accounts of said borough, for the past six years, now remaining unsettled; and they shall hold said office until the next borough election, at which time the electors of said borough shall elect three persons to serve as auditors of said borough; one to serve one year, one to serve two years, and one to serve three years, which shall be decided by lots by the persons so elected; and each year thereafter the electors of said borough shall elect one person for auditor for said borough, who shall hold his office until a successor is duly elected and qualified. Said auditors shall receive for their services the same fees as are now allowed township and borough auditors.

Court of quarter sessions to appoint auditors.

Oath of auditors.

SECTION 2. That every person appointed or elected auditor of said borough shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, before some person having authority to administer oaths, to support the constitution of the United States and of this commonwealth, and perform the duties of his office with impartiality, honesty and

fidelity; which oath shall be filed with the borough clerk, if there be one in said borough.

SECTION 3. That said auditors shall give due and public notice of the time and place of meeting, by at least six printed or written handbills, put up in the most conspicuous places in said borough, at least twenty days before said meeting, notifying all persons having claims and demands against said borough, to present them for adjudication. Public notice to be given.

SECTION 4. That the said auditors, or any two of them, shall be a quorum; shall meet annually the first Monday of February, and oftener, if necessary, and do and perform all duties appertaining to township and borough auditors; and their report shall be filed with the records of said borough, for the inspection of all persons concerned. Quorum.

SECTION 5. That the said auditors shall have power and authority to obtain the attendance of parties, witnesses, books and papers, and to administer oaths and affirmations, as are by law given to county auditors; and any person or persons aggrieved by the decision of said auditors, shall have the same right of appeal as is provided for in cases of township auditors. Power of auditors.

SECTION 6. That the said auditors shall be vested with the same powers and authorities that township and borough auditors are now by law empowered with. Further powers.

SECTION 7. That from and after the passage of this act the qualified electors of the borough of Tunkhannock, in the county of Wyoming, shall hold their election for the choice of all borough and corporate officers, at the same time and place that the annual township and borough elections are held in and for said county; and the constable of said borough is hereby authorized to advertise the same at the same time of advertising the annual election of said borough; and the burgess and town council of said borough, elected on the second Tuesday of January, Anno Domini one thousand eight hundred and fifty-nine, shall be as valid and binding in law as though they had been elected upon the day fixed by law for the election of borough officers; and all laws inconsistent herewith are hereby repealed. Time and place of holding elections. Election validated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 168.

A N A C T

To divide the borough of Scranton into two wards.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Scranton, in Luzerne county, is hereby divided into two wards. All that portion of said borough lying on the south and east side of the following lines shall be called the South ward, and all that portion lying on the north and west side shall be called the North ward, viz: Commencing where Adams avenue intersects the south line of Providence township; thence along said avenue to Lackawanna avenue; thence by the street under the Delaware, Lackawanna and Western railroad leading to the bridge across the Roaring brook, near the brick grist mill; thence down the said stream to its mouth.
- SECTION 2.** The said wards are hereby erected into separate election districts, and all qualified electors in the said several wards are hereby declared to be qualified to vote at all general, borough and special elections; and that the place for holding the election for the North ward shall be the Wyoming house, on Lackawanna avenue, and the place of holding the election for the South ward shall be at the Washington hotel, in Cedar street.
- SECTION 3.** That Joseph Chase is hereby appointed judge, Douglas Jayan, N. C. Norton are hereby appointed inspectors of election for the North ward; that Frederick Schrader is hereby appointed judge, and Thomas Welsh and Simon Ward are appointed inspectors of election for the South ward, to hold office until the election of their successors.
- SECTION 4.** That each ward shall elect two persons for justices of the peace, and one person for constable, said persons to be residents of the ward in which they are elected at the time of their election. That the burgess, town council, assessor, assistant assessor, school directors, auditors, treasurer and street commissioner shall be elected on a general ticket. That at the next election of borough officers, subsequent to the passage of this act, six persons shall be elected who shall compose the town council, instead of five as now by law required; two of whom shall serve one year, two two years, and two three years. That at the first meeting held by said council after their election, they shall draw lots in a manner that shall determine the terms of office they shall severally serve as herein classified, and that at each subsequent election for borough officers, in said borough, the qualified electors shall elect two persons as town council to serve three years: *Provided,* That three of the council shall reside, at the time of their election, in the ward, and that one of the assistant assessors shall reside, at the time of their election, in each ward.

SECTION 5. That on the next day after the borough election, the judge and one of the clerks of each ward shall meet at the Wyoming house, in said borough, at one o'clock in the afternoon, and after being qualified according to law, shall proceed to enumerate the votes cast for each officer elected on a general ticket, and shall issue notices to such persons as shall have received the greatest number of votes for the several offices for which they were candidates, and shall transmit a copy of the return list of voters and tally list to the clerk of the court of quarter sessions of the said county, and file another with the clerk of the council, to be filed among the borough records, for which service they shall each receive the sum of one dollar, to be paid out of the borough treasury. Duties of judges and clerks.

SECTION 6. That the burgess and town council of said borough shall have charge of the poor of said borough, and for that purpose shall have all the power and be subject to all the liabilities and restrictions of the laws of this commonwealth relative to the poor and overseers of the poor, except such as conflict with the provisions of this act. Burgess and council to have charge of the poor.

SECTION 7. That said burgess and town council are hereby authorized to erect a poor house for the reception and employment of the poor of said borough, and to purchase and hold such quantity of land, not exceeding five hundred acres, in or near said borough, on which said poor house shall be erected, as shall be necessary only for the employment of the poor. Poor house to be erected.

SECTION 8. That when said poor house shall be erected and completed, the burgess and town council of said borough shall provide all things necessary for the lodging, maintenance and employment of said poor, and shall not be obliged to support, maintain, or employ said poor elsewhere than in said poor house, or on the premises appurtenant and belonging thereto; and said burgess and town council shall have full power to make and ordain all such ordinances, rules and regulations, as they shall think proper and necessary for the direction, government, support and employment of said poor, and of the revenues derived therefrom: *Provided*, That the same are not repugnant to this act, or the laws of this commonwealth. Support of the poor, &c.

SECTION 9. That for the purpose of discharging the existing liabilities of said borough, for the support of the poor, to provide for the purchase of the land aforesaid, and erection of a poor house, and for the payment of the just liabilities of said borough, the said burgess and town council are hereby authorized to contract a loan not exceeding twenty-five thousand dollars, at a rate of interest not exceeding seven per centum per annum, with interest coupons attached; said loans and coupons to be signed by the burgess and treasurer of said borough: *Provided*, That no bond shall be issued for a less sum than one hundred dollars. Existing liabilities. To provide for the erection of a poor house, &c.

SECTION 10. That said burgess and town council are hereby required to appropriate annually, from the borough taxes authorized by law for borough purposes, a sum sufficient to pay the interest on the loan herein authorized: *Provided*, That for any deficiency from said taxes, to meet the current expenses of said borough, including the interest aforesaid, said burgess and Interest on loan. Proviso.

town council shall have authority to levy an additional or special tax, not exceeding one per centum.

Widening of streets, lanes and alleys.

SECTION 11. That in the widening of the streets, avenues and alleys of said borough, or the opening, extension and grading of new streets, avenues and alleys, the lot holders and owners of property adjoining such streets, avenues and alleys, shall be assessed the expense of the improvement through their property; such expense to be charged over to the owner or owners of such property, for the amount assessed to it, and recovered as debts of like amount are recoverable: *Provided*, No street, avenue or alley shall be widened, opened or graded under the provisions of this act, unless two-thirds in valuation to be assessed, shall petition for the same.

Proviso.

Assessment of expense for improvements.

SECTION 12. That said burgess and council shall appoint three capable and disinterested persons, to assess the expense of improvements provided for in the previous section of this act, who shall determine the same according to the advantages and value to lots and property through which the improvement is to be made. Said appraisers shall be sworn or affirmed before entering upon the discharge of their duties.

Duplicate for poor taxes, relative to.

SECTION 13. That the duplicate for poor taxes shall be made up as now required by law, and the warrants for the collection of the same shall be signed by the burgess, attested by the secretary, with the borough seal affixed.

Electors to vote for or against a loan.

SECTION 14. That before the loan authorized by this act shall be made, the qualified borough electors, at the time and place of holding the borough elections in said borough, or at such other time as the said burgess and council shall appoint for holding an election at the usual place for holding borough elections, of which at least two weeks' public notice shall be given, shall vote a written or printed ticket, labelled on the outside, "loan," and on the inside, "for the loan," or "against the loan;" and it shall be the duty of the officers of the election to receive such votes; and if it shall appear by the certificate of the judge and inspectors of said election, on casting up the votes, that a majority of the votes cast are for the loan, then and in that case only shall said loan be made. That in case the election is held by order of the burgess and council, the borough election officers shall assemble at the time and place appointed for holding elections, and proceed in all respects to receive said votes as required in case they were holding the borough election; and that the expense of said special election shall be paid by the borough.

Time of holding borough elections.

SECTION 15. That the borough elections for the said borough of Scranton, shall hereafter be held on the third Friday of April in each year.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 169.

A FURTHER SUPPLEMENT

To the act incorporating the Marshall Savings Institution of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Marshall savings institution of Philadelphia be and is hereby authorized to issue not exceeding twenty-five hundred shares of new stock, the par value of each share to be fifty dollars, payable by instalments, and to divide the profits as they may accrue among the members: Provided, That nothing herein contained shall prejudice the rights and interests of the present shareholders.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 170.

A SUPPLEMENT

To the act, entitled “An Act for incorporating St. Paul’s Church, in the city of Philadelphia.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the vestrymen, or a majority of them, acting for and on behalf of the rector, church wardens and vestrymen of the Episcopal church of St. Paul, in the city of Philadelphia, in the commonwealth of Pennsylvania, be and they are hereby authorized to disinter and remove to Mount Moriah cemetery, the remains of the persons buried in the lot belonging to said church, and situate upon the north-west corner of Evelina, late York, and Levant, late Laurel streets, in the city of Philadelphia, extending in front or breadth on said Evelina street, about eighty feet, more or less, and in depth on said Levant street, about one hundred*

Church officers
authorized to re-
move the remains
of the dead.

To sell and convey certain lot. and six feet, more or less; and the said vestrymen as aforesaid, are authorized to sell and convey the said lot, or any part thereof, upon such terms as they or a majority of them, acting as aforesaid, may think proper, and to satisfy and extinguish any ground rent now chargeable upon said lot.

Election of rector SECTION 2. That hereafter the rector for said church shall be elected and chosen by the vestrymen thereof, or a majority of them.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 171.

AN ACT

To refund to William Coulter certain moneys and expenses paid by him to the Commissioners of the Nicholson Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and directed to pay to William Coulter the sum of one hundred and twenty dollars and seventy-eight cents, moneys expended and paid by him to the Nicholson court of claims, on lands purchased by him, as per contract with the commissioners appointed in pursuance of an act, entitled "An Act to settle the estate of John Nicholson and Peter Boynton," approved the sixteenth day of April, Anno Domini one thousand eight hundred and forty.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 172.

A N A C T

To authorize the Frankford and Oxford Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Frankford and Oxford turnpike road company, shall have full power and authority to borrow any sum of money, or any sums of money, not exceeding in the whole five thousand dollars, which may be necessary to enable them to complete their road, discharge the debts incurred in the construction thereof, and enjoy the full benefits of the privileges conferred upon them by the act of assembly authorizing their incorporation; any such loan to be on such terms and conditions as the said corporation may deem fit, and at any rate of interest not exceeding six per cent. per annum; and it shall be lawful for said company to secure the money so borrowed, by bond or bonds of said company, and mortgage upon its property, or otherwise, as the said president and managers may deem proper, on all or any of their property, real and personal, together with all their rights, powers and privileges and franchises; any sale or sales under any judicial process to enforce any such bond or mortgage, shall pass to and vest in the vendee or vendees, whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 173.

A SUPPLEMENT

To the act incorporating the Middletown and Harrisburg Turnpike Road Company, approved nineteenth of March, one thousand eight hundred and ten.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the president, managers and company of the Middletown and Harrisburg turnpike road shall be subject to the provisions, and liabilities of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of the act of assembly regulating turnpike and plank road companies, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine, and also be subject to all the provisions of the eighth and ninth sections of an act, entitled "An Act concerning certain state and turnpike roads," approved the nineteenth day of April, Anno Domini one thousand eight hundred and forty-four; and that so much of said turnpike road as lies between the upper boundary of the borough of Harrisburg, as described in the act of incorporation, and the point where the Paxton road intersects said turnpike road, below Harrisburg, near the school house, be and the same is hereby vacated.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 174.

AN ACT

To incorporate the Newtown Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Robert D. Cary, Silas Cary, Samuel B. M'Fadden, Benjamin

Malone and S. E. Malone, are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry into effect the establishment of a gas company, to be located in the borough of Newtown, in the county of Bucks, with a capital stock of seven thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing the same to twenty thousand dollars, to be organized, managed and governed as is provided by an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and subject to all the restrictions and provisions, together with all the immunities contained in the said act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 175.

AN ACT

Relating to Roads in West Goshen township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of West Goshen township, Chester county, within ten days after their election next succeeding the passage of this act, and in every third year thereafter, shall divide the roads in said township into sections not exceeding one mile in length, which they shall number and describe in a book to be kept by them for that purpose, specifying the work to be done on each section, and within two days thereafter give at least ten days' notice by handbills, set up in at least ten of the most public places in the township, of the time and place at which the said sections shall be by them let out, one at a time, on contract, to the lowest and best bidder of the taxable inhabitants of the township, to be kept in repair for the term of three years; and if any section shall not then be let out, it may afterwards be let out on private contract, but the supervisors shall not be in any way interested in any such contract. Duty of supervisors.

SECTION 2. The contractor shall write his name in the said book, opposite the section, with the sum that is to be paid him, one-third only of which shall be paid him each year. Pay of contractor, relative to

Neglect of duty
by contractor,
relative to.

SECTION 3. Should any contractor neglect to keep his section in repair, the supervisors when informed thereof, or having knowledge thereof themselves, shall forthwith cause the same to be put in repair, and the expense thereof shall be deducted from the amount due to the contractor, or recovered from him by suit in the name of the township, as other debts are recoverable, with costs of suit.

Opening of new
roads, relative to

SECTION 4. When a new road is ordered by court to be opened, the supervisors shall, upon receiving the order therefor, proceed to contract for the making thereof, as nearly as practicable, in conformity with the provisions of the preceding sections of this act.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 176.

A N A C T

To enable the Commissioners of Clarion county to erect a new Court House in the borough of Clarion, in said county.

Preamble.

WHEREAS, On the tenth day of March, one thousand eight hundred and fifty-nine, the court house in the borough aforesaid, county aforesaid, was destroyed by fire:

And whereas, The public interests of the said county require the same to be re-built, and the powers now vested in the commissioners of said county, by law, are inadequate to enable them to re-build the same without the presentments of two successive grand juries of said county, and the approval of the court of quarter sessions, to obtain which would occasion great delay.

Power of com-
missioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of said county shall have full and complete power and authority to erect immediately, by contract or otherwise, as they may deem proper, a new court house, on the public square in said borough, and such other buildings as the interests of said county may require, and shall have full and ample power to do all things necessary to efficiently carry out the object of this act.

SECTION 2. That the commissioners of said county are hereby ^{Further powers,} authorized and empowered to assess and collect a tax for the present, additional to the one already assessed, not exceeding six mills on the dollar, in the same manner that other county rates and levies are assessed and collected; which tax is hereby specially appropriated to the erection of said new court house and necessary buildings and improvements, and to the extinguishment of liabilities incurred for that purpose.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 177.

AN ACT

Relating to the Public Highways in East Bradford township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of an act, entitled "An Act to incorporate the Coatesville, Mortenville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company," approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-three, be and the same are hereby extended to the township of East Bradford, in Chester county. Certain law extended.

SECTION 2. That such parts of the existing road laws as are ^{Repeal} inconsistent with this act, are hereby repealed, so far as relates to the township of East Bradford, Chester county.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 178.

A N A C T

Authorizing the Trustees of the Corporation of the Presbyterian Church at Mechanicsburg, Cumberland county, to borrow a certain amount of money.

WHEREAS, A number of the citizens of Mechanicsburg, in the county of Cumberland, have formed themselves into a congregation, and have, under a charter from the court of common pleas of the said county, proceeded to erect a church edifice, under the style of the Presbyterian church and congregation at Mechanicsburg:

And whereas, In order to complete the said edifice during the present building season, it is necessary that the trustees of the said congregation should have authority granted them to borrow money on the security of the church property, and the delay incident to an application to the said court to extend the said charter to embrace the present emergency, will be such as may prevent the completion of the said building for another year: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the corporation of the Presbyterian church and congregation at Mechanicsburg, in the county of Cumberland, shall and are hereby empowered to borrow, for the completion of the church edifice now in the course of erection by them in the said borough, any sum of money not exceeding the sum of twenty-five hundred dollars; and that any security upon the real estate of the said corporation, given by the said trustees, in the name of the said corporation, for the payment of any sum so borrowed, shall be valid and effectual, to enable the lender to collect the same from the said corporation, anything in the charter of the said corporation to the contrary notwithstanding.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 179.

A N A C T

To exonerate James T. Leonard, Prothonotary of Clearfield county, from the payment of Costs, Taxes, et cetera, on his Commission.

WHEREAS, A commission has been issued to James T. Leonard as prothonotary of Clearfield county, to fill the vacancy occasioned by the death of George Walters:

And whereas, The said James T. Leonard has accepted the appointment for the purpose of appropriating the proceeds of said office to the support of the widow and children of the said George Walters, deceased; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all state taxes, fees, costs and charges on the commission issued to James T. Leonard as prothonotary of Clearfield county, to fill the vacancy occasioned by the death of George Walters, be and the same are hereby exonerated and discharged.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 180.

A N A C T

For the relief of Mary Washington, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay to Mary Washington, of Westmoreland county, widow of a soldier of the Indian war of seventeen hundred and ninety, an annuity of forty dollars during the term of her natural life, commencing on the first of January one thousand eight hundred

LAWS OF PENNSYLVANIA,

and fifty-eight, and payable half yearly thereafter on the first days of January and July.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 181.

A N A C T

To extend the Charter of the Dauphin Deposit Bank.

Charter extend-
ed

Subject to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Dauphin Deposit Bank shall be and the same is hereby extended for the term of fifteen years from the expiration of the present charter, which shall be subject to the provisions of the act, entitled "An Act to incorporate the Harrisburg Savings institution," approved the fourteenth day of April, one thousand eight hundred and thirty-four, and also to all the provisions now imposed upon the said bank by the existing laws of this commonwealth.*

Reservation

SECTION 2. The legislature hereby reserve the power to alter, revoke or annul the charter of the said Dauphin Deposit Bank, whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators of the said bank.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 182.

A N A C T

To incorporate the Chartiers and Robinson Township Turnpike Road Company in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Wm. K. Nimick, Thomas M'Kee, John Young, Jr., Martin Clever, Jr., James M'Gonnigle, Jacob Allen, John M'Coy, Andrew M'Kee, James Ewing, R. B. Guthrie, N. P. Sawyer and William R. Brown, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Chartiers and Robinson Township turnpike road company, with power to construct a turnpike road from a point at or near the western end of the Saw Mill Run bridge of West Pittsburg, in Allegheny county, to the mouth of Chartiers creek, with the privilege of erecting a bridge over said creek, and extending said road thence to Middletown, in Moon township, in said county, by the most practicable route: *Provided*, Said company shall have the privilege of using and occupying any township, state or other road now opened and used between the termini before mentioned, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of four hundred shares at fifteen dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for the purpose, increase the capital stock so much as in their opinion may be necessary to complete the road and carry out the true intent and meaning of this act.

SECTION 3. Then whenever said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls agreeably to the conditions and restrictions of section twelve and thirteen of the act approved twenty-sixth January, Anno Domini one thousand eight hundred and forty-nine.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 183.

A SUPPLEMENT

To an act incorporating the Odd Fellows Hall Association of the city of Pittsburg, and county of Allegheny, approved the twenty-first day of April, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the board of trustees of the Odd Fellows hall association of the city of Pittsburg, and county of Allegheny, shall have power to borrow, upon bonds or other evidences of indebtedness, any sum or sums of money, not exceeding in the whole twenty thousand dollars, which may be necessary for the furtherance of their corporate privileges, with power also to pledge and mortgage as security for any such loan or loans, all or any of their property, real and personal, together with all their rights, powers, privileges and franchises; and any sale or sales under any judicial process to enforce the payment of any such pledge or mortgage, shall pass to and vest in the vendee or vendees, his, her or their heirs and assigns forever, whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledges or mortgages as last aforesaid.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 184.

AN ACT

To incorporate the Farmers' Mutual Fire Insurance Company of Middle Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

Abraham Shipman, William Follmer, Stephen Glaze, junior,

Elida John, J. S. Gearhart, T. R. Hull, Joseph Levers, Abraham Wagoner, John M'Williams, William Yorks, D. W. Clark, Emanuel Lazarus, Matthias Appleman, Peter Trough, Allen Bowman, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered from and after the passage of this act, to establish an insurance company by the name and title of the Farmers' Mutual fire insurance company of Middle Pennsylvania, to be located in the borough of Danville, in the county of Montour. The said company shall transact its business on the mutual principle exclusively, and be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, except so far as the same are modified by this act, and shall be limited to risks against losses by fire on houses, tenements, grist mills propelled by water or steam power, barns or other buildings, goods, wares, merchandize and effects, household furniture, hay, grain, and other agricultural products, in barns, stacks or otherwise, and generally on all kinds of goods, wares and effects, except books of account, bills, bonds, money, jewels, plate, paintings, engravings and incorporated and manufacturing property.

SECTION 2. That the members of the association shall be citizens of the counties of Montour, Northumberland and Columbia, and the risks and members of the corporation shall be confined to said counties. No policy shall be issued by the corporation until application shall be made for insurance to the amount of two hundred and fifty thousand dollars, and no property situated in any city, borough, town or village shall be insured by said company.

SECTION 3. That the number of directors shall consist of fifteen, five to be chosen from each of the counties above named, who shall have power to elect a president out of their own number, and appoint a secretary, treasurer, and such other officers and agents as may be necessary to carry out the objects of the corporation; and that the annual election for officers shall be held on the first Tuesday in December, and no property situated in any city, borough, town or village, shall be insured by said company.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 185.

A N A C T

To change the time of holding the Courts of Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the several courts of Clearfield county shall be held on the third Monday of March, the third Monday of June, the fourth Monday of September, and the second Monday of January in each year, and to continue two weeks, if necessary: Provided, That the passage of this act shall not interfere with the holding of the May court in said county, for the present year, but the same shall be held as though this law had not been passed.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 186.

A N A C T

Relative to Roads in East Marlborough and New London townships, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, and relative to repairing the roads in said township," approved the twelfth of February, Anno Domini one thousand eight hundred*

and fifty-nine, be and is hereby extended to the townships of East Marlborough and New London, Chester county.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 187.

A FURTHER SUPPLEMENT

To the act incorporating the Lewisburg, Centre and Spruce Creek Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the period for commencing the construction of the Lewisburg, Centre and Spruce Creek railroad, authorized by an act of assembly, approved the twelfth day of April, A. D. eighteen hundred and fifty-three, and the supplement thereto, is hereby extended three years from the passage of this act, and the completion to five years thereafter.

Period of commencing construction extended.

SECTION 2 That the said Lewisburg, Centre and Spruce Creek railroad company be and hereby authorized to extend their said road from any point on the line of their road, in the county of Centre, to connect with any railroad now constructed or that may hereafter be constructed at or near the borough of Bellefonte, or at or near Milesburg, in said county of Centre.

Authorized to extend the road.

May connect with other road.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 188.

A N A C T

To incorporate the Pennsylvania and Maryland Line Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, 'That*

Commissioners. Alburthus A. Miller, Henry Miller, Benjamin M. Powell, Samuel Wingerd, P. B. M'Laughlin, L. Tiernan Brian, William Martin, Michael Yessler, Daniel Binkley, Jacob Binkley and John M'Laughlin, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Pennsylvania and Maryland Line turnpike company, with power to construct a turnpike road from a point on the Green Castle and Maryland Line turnpike; thence by the present public road running with or near the Pennsylvania and Maryland state line, to a point on the public road leading from Green Castle to Hagerstown, on the best and most eligible route, from point to point, as may be determined upon by said commissioners, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, as far as the same are not inconsistent with this act.

Style. Route. Subject to.

Capital stock. SECTION 2. That the capital stock of said company shall consist of two hundred shares at twenty dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road and to carry out the true intent and meaning of this act.

Commencement and completion. SECTION 3. That if the said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years after the same shall have been commenced, this act shall be null and void, except so far as the same may be necessary to enable it to settle its affairs and pay the debts of the said company.

Toll SECTION 4. That whenever said company shall have completed two miles of said road, they shall have power to erect toll-gates and receive the same tolls per mile that are allowed by the twelfth and thirteenth sections of an act, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 189.

A N A C T

To exempt certain Real Estate in the county of Allegheny from the payment of the Collateral Inheritance Tax.

WHEREAS, James Hammersley, late of the county of Allegheny, devised his real estate (subject to certain charges) to his three natural sons, Henry, George and James :

And whereas, Said James Hammersley had lived with Ann Cross as his wife for a period of more than twenty years, and to the time of his death, although not married to her, and said three sons were born and reared under his own roof, and educated and recognized by him as his legitimate children; and said real estate is embarrassed and encumbered, and the payment of the collateral inheritance tax will involve the sacrifice of a portion of said property, and the above facts constitute fair and equitable grounds for legislative relief; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the real estate of which James Hammersley, late of the county of Allegheny, died seized, situate in the boroughs of Birmingham and East Birmingham, in said county, and which said James Hammersley, by his last will and testament, devised to George Duncan, in trust for the use of his three sons, Henry, George and James Hammersley, be and the same is hereby released and exempted from the payment of any collateral inheritance tax due and payable to the commonwealth out of said estate.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 190.

A FURTHER SUPPLEMENT

To the act authorizing the Governor to incorporate the Minersville Water Company.

Authorized to
borrow money.

May issue bonds,
&c.

Proviso.

Time extended
for completion of
works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Minersville water company is hereby authorized and empowered to borrow any sum or sums of money, not exceeding thirty thousand dollars, at any rate of interest not exceeding ten per centum per annum, for the purpose of completing or extending their works, or to liquidate or fund any debt or debts heretofore created in the erection and construction of the same; and to secure the payment of the amount borrowed, with the interest, the said Minersville water company is hereby empowered to issue bonds or certificates for the same, and to make and execute a mortgage or mortgages, pledge or pledges, of the property, effects, franchises, rights, liberties and privileges, income and rents of said company, or give such other evidences of debt as may be agreed upon: Provided, That no such bond, certificate or other evidence of debt, shall be issued for a less sum than one hundred dollars.*

SECTION 2. That the time specified in the seventeenth section of the act to which this is a further supplement, requiring said company to complete their works so far as to bring within the limits of the borough of Minersville a sufficient supply of good water for the inhabitants of said borough, within three years from the passage thereof, and which limit, by an act approved the tenth day of March, Anno Domini one thousand eight hundred and fifty-eight, entitled "A further supplement to an act authorizing the governor to incorporate the Minersville water company," was extended two years from the expiration of the first limit, be and the same is hereby extended three years from the expiration of said last mentioned time.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 191.

A SUPPLEMENT

To an act to incorporate the Hilltown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the thirteenth section of the act incorporating the Bustleton and Somerton turnpike road company, approved April fourteenth, one thousand eight hundred and forty, are hereby extended to the Hilltown turnpike road company, with all the privileges and restrictions contained therein; and so much of the said act incorporating the said Hilltown turnpike road company, as interferes with the same, is hereby repealed. Certain act repealed.

SECTION 2. That said Hilltown turnpike road company shall have the right to charge toll for the fractional part of a mile, and not be liable for the fractional part of a cent in making change. Toll.

SECTION 3. That the said company shall have the right to arrange with and authorize toll-gatherers of adjoining turnpike road companies, to collect toll from all persons traveling on said Hilltown turnpike road, and liable to the payment of toll, who pass over any portion of said road and not through a gate on said Hilltown turnpike road, but passing through the gate of an adjoining or connecting turnpike road company. Adjoining turnpike road companies, relative to tolls.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No 192.

AN ACT

Relating to the Overseers of the borough of Lewisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be the duty of the burgess and town council of the borough of Lewisburg, in the county of Union, to require of the overseers of the poor of said borough, annually, before they Overseers of the poor to give bond

are sworn into office, a bond with approved security, to said burgess and town council of the borough of Lewisburg, in such sum as said burgess and town council shall deem sufficient, conditioned for the faithful discharge of their duties, and accounting for all moneys that shall come into their hands, and paying over to the treasurer of said borough such balance as shall appear to be in their hands, at the end of the term for which they may have been elected: *Provided*, That the overseers of the poor, elected in said borough, may give separate bonds; and in that case they shall not be liable for the acts or default of each other, but each for himself only.

Proviso.

Failure to give bond, relative to.

Vacancies, how filled.

SECTION 2. That in case any overseer of the poor elected, shall fail to give the security provided for in the first section of this act, within fifteen days after being duly notified of his election, then and in that case the burgess and town council aforesaid, shall have power to fill such vacancy by appointment, until the next annual election, and shall require security as aforesaid, from the person or persons so appointed, before he or they shall be authorized to act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 193.

AN ACT

To repeal an act for the protection of Sheep and taxing of Dogs in the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, passed and approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act for the protection of sheep and taxing of dogs in the county of Blair," be and the same is hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 194.

A N A C T

Relating to the Norristown Academy.

WHEREAS, James Winnard, late of the borough of Norristown, in the county of Montgomery, deceased, by his last will and testament, bearing date the eleventh day of November, one thousand eight hundred and thirty-five, amongst other legacies bequeathed to the Norristown academy, three hundred dollars, to be paid to the said academy after the death of the widow of the testator :

And whereas, Hannah Winnard, said widow, died in the year one thousand eight hundred and fifty-seven, and said will contained no residuary clause :

And whereas, It is doubtful whether the Norristown academy, thus named, has any longer a legal existence, the property thereunto belonging having by authority of an act of the general assembly, approved March eighteenth, one thousand eight hundred and forty-eight, been sold, and the moneys arising from the sale paid by the trustees to the school directors of the Norristown school district, for the purpose of purchasing a lot and erecting a building thereon, one room of which was directed to be used for a high school ; since which time the said academy has only existed in the high school department of the common schools of the Norristown borough district :

And whereas, The obvious intention of the testator would be best carried out by directing the payment of said legacy to the school directors of the Norristown school district, for the use of the public high school of said borough ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all moneys which either by devise, bequest, are due and owing to the Norristown academy, are hereby declared to be due and owing to the said academy as it now has its legal existence in the public high school of the borough of Norristown ; and that the amount of the legacy bequeathed by the last will and testament of the said James Winnard, to said academy, now remaining undisposed of by the court of common pleas of Montgomery county, shall be paid to the directors of common schools of the Norristown school district, for the use of the high school of said district under their charge ; and the said directors are hereby invested with all the rights which the Norristown academy, through its trustees, would have were said academy still fully in being, to all intents and purposes as created by law.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 195.

A N A C T

To extend the power of Prothonotaries and Clerks to administer oaths.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the prothonotaries and commissioned clerks of courts of this commonwealth shall have a general power to administer oaths and affirmations: Provided, That no prothonotary or clerk shall be compelled to administer the same in any matter not pertaining to the proper business of his office.*

General power to
administer oaths
by certain offi-
cers.

Proviso.

SECTION 2. That oaths and affirmations heretofore administered by the several prothonotaries and clerks of courts, shall be valid and effectual, though not done in conducting the business of their respective offices: *Provided, That this confirmation shall not include cases heretofore judicially acted upon and adversely decided: Provided, That no part of this act shall apply to the city of Philadelphia.*

Proviso.

Proviso.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 196.

A N A C T

To annex part of the Lands of Eli Lichtenberger, in Elizabeth township, Lancaster county, to Penn township, in said county.

WHEREAS, Eli Lichtenberger, of Elizabeth township, Lancaster county, labors under great inconvenience on account of his dwelling house being situate in the extreme western part of said township, while almost his entire farm is situate in Penn township, in said county:

And whereas, it would confer great advantages on said Eli Lichtenberger if that portion of his farm, now included in Elizabeth township, were annexed to Penn township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that portion of land constituting a part of the farm of Eli Lichtenberger, and lying in Elizabeth township, Lancaster county, be and the same is hereby annexed to Penn township, in said county, and hereafter shall form a part of the election and school districts of said Penn township, and be subject to the assessment and collection of all taxes in Penn township only.*

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 197.

A SUPPLEMENT

To the act incorporating the Plymouth Railroad Company, passed the nineteenth day of March, Anno Domini one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of managers of the said company may borrow money to an amount not exceeding one hundred and seventy thousand dollars, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, and secure the payment of the principal and interest of said bonds, by a mortgage or mortgages upon the road, property and franchises of the said company; and the said managers may make the said bonds convertible into stock, at par, if such course shall be deemed advantageous to said company; and it shall be lawful for any other railroad company, or other corporation, to subscribe to the said loan and to take bonds for such amounts as they may be entitled to, according to the terms of such subscription, or to purchase the said Plymouth railroad, with all the rights, property and franchises of the said Plymouth railroad company, at such price and upon such terms and conditions as may be agreed upon by and between the parties and corporations interested; together with the eleventh section of the act of July twenty-sixth, one thousand eight hundred and*

May borrow money and issue bonds.

Corporations authorized to subscribe to loan.

forty-two, referred to therein, shall extend and be applied to the certificates issued under the present act.

Subject to

SECTION 2. That said company shall be entitled to all the privileges and subject to all the restrictions imposed by an act, entitled "An Act regulating railroads," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 198.

AN ACT

To authorize the Auditor General and the State Treasurer to open and re-settle the accounts of the Franklin Fire Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and the state treasurer be and they are hereby authorized and required to open the accounts settled on behalf of the commonwealth against the Franklin fire insurance company of Philadelphia, and for the purpose of adjusting and finally settling the same, that the auditor general and the state treasurer be further authorized and directed to allow the said company such credits as in their opinion it may be equitably entitled to.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 199.

SUPPLEMENT

To an act, approved February sixteenth, one thousand eight hundred and fifty-nine, entitled "A supplement to an act, approved April third, one thousand eight hundred and fifty-one, entitled 'An Act regulating boroughs,' so far as relates to the borough of Phoenixville."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first and fourth sections of the act to which this is a supplement, approved February sixteenth, one thousand eight hundred and fifty-nine, be and the same are hereby repealed, and that the said act of March sixth, Anno Domini one thousand eight hundred and forty-nine, be restored to full force an effect, excepting, however, so far as the same may be altered and supplied by the second and third sections of the said act of February sixteenth, Anno Domini one thousand eight hundred and fifty-nine.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 200.

AN ACT

Authorizing the State Treasurer to settle the account of the President Judge of the Twentieth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized to examine the account of Abraham S. Wilson, president judge of the twentieth judicial district, and refund to the said Abraham S. Wilson, the amount of taxes he shall ascertain has been paid to the commonwealth under the law taxing salaries and emoluments of

LAWS OF PENNSYLVANIA,

office two per centum on every dollar thereof over two hundred dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 201.

A N A C T

To abolish the office of Sealer of Weights and Measures in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act passed the fifteenth day of April, one thousand eight hundred and forty-five, entitled "An Act authorizing the secretary of the commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers," be and the same are hereby repealed so far as the same relates to the counties of Franklin and Lancaster, Montgomery, Bucks, Berks, Lehigh, Dauphin and Westmoreland: Provided, Said act shall not take effect until after the expiration of the commissions of the present incumbents.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 202.

A N A C T

Extending the time for the commencement and completion of the Schuylkill Haven and Lehigh River Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time fixed for the commencement and completion of the Schuylkill Haven and Lehigh River railroad, by the sixth section of the act, entitled "An Act to incorporate the Schuylkill Haven and Lehigh River railroad company," passed the nineteenth day of April, one thousand eight hundred and fifty-six, be and the same is hereby extended for another period of five years from the passage of this act. Extension of time

SECTION 2. That it shall and may be lawful for any other incorporated company, to subscribe to the capital stock of the said Schuylkill Haven and Lehigh River railroad company. Incorporated companies may subscribe to stock.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 203.

A N A C T

To provide for the payment of the claim of Peter S. M'Cullough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to Peter S. M'Cullough, the sum of three hundred and sixty-five dollars, being the amount of damages awarded to him, as per

LAWS OF PENNSYLVANIA,

report of the canal commissioners, dated January nineteenth, one thousand eight hundred and fifty-nine.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 204.

A SUPPLEMENT

To an act to incorporate the Quakake Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Quakake railroad company to extend their railroad, with as many tracks as may be required, from a point on said railroad in Rush township, Schuylkill county, in a westerly direction, towards the head waters of Mahanoy creek, and thence down the main stream, or any of its branches, as far as may be deemed expedient, with authority to connect with any railroad now made or to be made in the Mahanoy valley, and with authority to make branch or lateral railroads to coal mines: *Provided,* That no such lateral railroad shall exceed ten miles in length.

Authorized to
extend road.

Proviso.

May issue bonds
or create special
stock.

SECTION 2. That in order to enable the said company to build such branch or branches, the said company is hereby authorized to create a special stock, or to issue bonds secured by mortgage upon the said branch or branches, upon the same terms and conditions set forth in the second section of the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 205.

A N A C T

Authorizing the Auditor General and State Treasurer to examine and report upon the claim of the bail of Henry D. Rodearmel, late Supervisor of the Susquehanna Division of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and required to examine into the claim of Joseph Kleckner, Michael Kleckner, Sem Schoch and Charles Merrill, sureties in the official bonds of Henry D. Rodearmel, late supervisor on the Susquehanna division of the Pennsylvania canal, and report the facts respecting the same to the legislature.

J. M. THOMPSON,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 206.

A N A C T

Providing for the Election of Supervisors in Cross Creek township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the electors of Cross Creek township, in the county of Washington, at the spring elections, annually, to elect for each sub-school district in said township, one supervisor, who shall reside within the limits of the said sub-district; and the said supervisors shall, on notice to each other, meet and divide the aggregate of taxes assessed for road purposes between the various sub-school districts according to the amount of roads and the importance of the same within each, and the work on said roads shall be commenced within thirty days after the said spring election.

Each sub-school district to elect a supervisor.

Road taxes, relative to.

Manner of voting SECTION 2. It shall be lawful for the electors of said township to vote for all the officers at the spring elections on one ticket or slip of paper.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 207.

A N A C T

To change the place of holding Elections in Liberty township, Montour county.

WHEREAS, The elections for Liberty township, Montour county, have heretofore been held in a tavern house, at Mooresburg, and the said house is no longer used as a tavern or public house:

And whereas, The court of quarter sessions of Montour county will not hold their next session until after the time for holding the next spring election will have elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township elections held in the township of Liberty, in the county of Montour, shall hereafter be held in the tavern house kept by George Hopp, at Mooresburg, in said township.

J. M. THOMPSON,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 208.

A N A C T

To incorporate the Citizens' Passenger Railway Company of the city of
Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Verner, Alexander Speer, Richard Hays, W. M. Darling-
ton, Joshua Rhodes, Richard L. Ewalt, Nathaniel Holmes, O. Commissioners.
H. Rippey, R. E. M'Gowin, William Coleman, James P. Barr, J. H. Jones, Thomas D. Loomis, J. F. Mackenzie, A. S. Bell, F. M. Hutchinson, M. B. Brown, T. R. Sill, Andrew L. Kerr, and D. L. Eaton, or a majority of them, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the capital stock of the company hereby incorporated, by the name, style and title of the Citizens' Pas-
senger railway company, with power to lay out and construct a Style.
railway of single track, and the necessary sidings and switches, from the intersection of Market and Fifth streets to Liberty Route.
street; thence along and across Liberty street to Cecil's alley; thence along Cecil's alley to Penn street; thence along Penn street by a single or double track, as the councils of said city may direct, with the necessary switches and turnouts, to the Greensburg and Pittsburg turnpike road; thence by a single or double track along the said turnpike road to Butler street, in the borough of Lawrenceville; and thence along said street to the Lawrenceville and Sharpsburg plank road; thence by the said plank road and by way of the Sharpsburg bridge into the borough of Sharpsburg.

SECTION 2. That the capital stock of the said company shall Capital stock.
consist of two thousand shares of fifty dollars each: *Provided,* Proviso.
That the directors of the said company may at any time increase the same to four thousand shares, if deemed necessary to complete their said road.

SECTION 3. That when one thousand shares of the stock shall Subscription to
have been subscribed and five dollars paid in on each share, the stock.
said commissioners, or any five of them, shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each, to the governor of the commonwealth; and it shall be thereupon the governor's duty, by letters patent under his hand and the seal of the state, to Letters patent.
create and erect the said subscribers, their associates, assigns and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Citizens' Passenger railway company; and by the said name they shall have perpetual succession, with power to make a corporate seal, Powers, &c.
and the same to alter, modify and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordinances, rules and regulations, as shall appear necessary and convenient

May hold real estate. for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property as may be necessary and convenient to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch, and the same to exchange, barter, sell, let or lease on ground rent, mortgage, or lease, or otherwise dispose of, at their pleasure, and of suing and being sued, pleading and being impleaded, by their corporate name; and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.

Notice to be given of time and place of organization. SECTION 4. That the persons named in the letters patent, or any five of them, shall, as soon as conveniently may be after the same shall have been received, give at least ten days' notice in two or more daily newspapers printed in the city of Pittsburg, of a time and place to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose, by a majority of said subscribers, by ballot, to be delivered in person, five managers, all of whom shall be citizens of Allegheny county, who shall immediately choose one of their number to be president; all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each and every member of said corporation shall be entitled to a vote for each and every share of stock held by him or her.

Officers.

Proviso.

Bond and mortgage. SECTION 5. That said company shall have power to raise on bonds, to be secured by a mortgage of the road, including all its stock and franchises, any sum not exceeding one-half of the amount of the capital stock authorized by this charter, for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.

Proviso.

Transfer of stock SECTION 6. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and if any stockholder shall omit, for the space of six months, to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock, on which the instalment or instalments are unpaid as aforesaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest at the rate of twelve per centum per annum, as debts of a like amount are recoverable, against the person or persons appearing by their books to be the owner or owners thereof.

Dividends. SECTION 7. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July of each year, and be paid at the office of said company, any time after ten days'

notice from the time of declaring the same ; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired ; and in case the directors shall declare a dividend exceeding the amount of the net profits, and thereby impair the capital stock, they shall be held individually liable for all such excess.

SECTION 8. That the said company, before commencing to construct said road, shall purchase, at the option of the owners, the stock of horses, harness, omnibuses, wagons and sleighs, owned and used by any omnibus company on said Penn street and in the borough of Lawrenceville, at the time of commencing the construction of said road, at a price to be assessed in the following manner : The said owners shall choose one disinterested person, and the said Citizens' Passenger railway company shall choose another person, and the two thus chosen shall choose a third, who, together, shall be disinterested persons and appraise such stock, and the value thus arrived at by a majority of said appraisers, shall be final and conclusive.

Purchase of omnibuses, horses, &c.

SECTION 9. That the said railway company shall not be permitted to use and occupy any of the streets of the said city for the purposes of their railway, until the consent of the city councils is first thereto had, by ordinance duly passed ; nor shall the said company at any time alter or change the grade or line of any street, without the consent of councils first had and obtained ; and the said company shall keep so much of the streets of the said city as may be used and occupied by them, in perpetual good repair, from curb to curb, at the proper expense and charge of the said company : *Provided further*, That the said company, for and during the first five years after they shall commence running cars upon said road, shall pay into the city treasury, for the use of the city, the sum of twenty dollars per year for each car run over their said road, and for and during the five years thence next ensuing, the sum of thirty dollars per year for each car as aforesaid, and from thence thereafter the sum of forty dollars per year for each car run over said road ; and also for the first five years after they commence running cars upon said road, the said company shall pay into the city treasury, for the use of said city, three per cent. of the dividends or net profits of said company ; and from thence thereafter said company shall pay into said treasury, for use of said city, five per centum of the dividends or net profits of said company.

Consent of the city councils to be obtained.

Proviso.

Per centage on dividends to be paid into city treasury.

SECTION 10. That before the said railway company shall use and occupy any portion of any turnpike, plank road, bridge, or street, or road of any borough, if the said railway company and said turnpike, plank road, or bridge company, or councils of any borough, cannot agree upon the terms for the use thereof, within thirty days from the organization of the said company, that either party may apply, by petition, to the court of quarter sessions of Allegheny county, setting forth the facts, and praying the court to appoint a time for the hearing of the parties, not more than twenty days from the filing of the said petition ; of which time and place the opposite party shall have at least ten days' notice ; and the court shall immediately after hearing the

Use and occupancy of roads, &c., relative to.

- said parties, proceed to fix and adjudge the rate of compensation to be allowed and paid by said company, for the use of such turnpike, plank road, bridge, or street, and the terms on which it shall be used, and the mode and manner in which the same shall be kept up by the respective parties; which judgment shall be and remain final and conclusive between the parties: *Provided further*, That the Citizens' Passenger railway company shall have full power and authority to make such changes in the grade of said turnpike and plank roads, as may be required to enable them to use their railway with ease and convenience.
- Proviso.** SECTION 11. That the said railway company shall be and they are hereby required to lay the track of their said road, of such a gauge as to be most convenient for the use of carriages and buggies passing over the said road; and in all cases the carriage or vehicle following the car, shall have the right to the track, and the carriage or vehicle coming in the opposite direction, shall be required to turn off the track.
- Gauge of road.** SECTION 12. That if any person or persons shall wilfully break, remove, destroy, or injure any part of the said railway, or the cars, carriages, stations, houses, or other building or property of said company, or shall, without the consent of said company, wilfully and unnecessarily obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending, shall forfeit and pay for every such offence, the sum of five dollars to the said company; but no such suit shall be brought unless commenced within thirty days after such offence shall have been committed; and the person or persons so offending, shall be and remain liable, in addition to said penalty, to action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her, or their act or acts as aforesaid.
- Penalty for injuring property, &c.** SECTION 13. That the councils of Pittsburg shall have power to establish such regulations in regard to said railway, as may be required for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the streets used by said company, and to prevent obstructions thereon; and the said company shall never obstruct the streets or roads over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines, thereon.
- Power of councils** SECTION 14. That no greater fare shall be charged upon said road, per passenger, to or from Lawrenceville, than five cents; for any distance less than two miles, five cents; and for any greater distance, not more than two one-half cents a mile, but in no case to exceed ten cents.
- Amount of fare fixed.** SECTION 15. That said railway company shall, at the intersection of their road with any railroad upon which locomotives are used without the city of Pittsburg, cause their cars to stop before crossing the same, under a penalty of twenty-five dollars for each violation of this section.
- Cars to stop before crossing railroad tracks.** SECTION 16. That the said company shall commence the construction of the railway hereby authorized, within one year after the consent of the councils of the city of Pittsburg shall have been given to the same, and complete the same to Law-
- Commencement and completion.**

renceville within eighteen months, and to Sharpsburg within three years thereafter.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 209.

AN ACT

Relative to Orphans' Courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all sales of real estate under the order of the orphans' court authorized by the laws of this commonwealth, the court decreeing the sale shall have power to direct the terms thereof for cash, not less than one-fourth of the purchase money at the time of the confirmation of the sale, and the balance in such instalments, and at such times as, in the opinion of the court, shall be for the interest and advantage of those interested therein, requiring security to be approved by the court in at least double the value of the interest proposed to be sold, before such sale shall be ordered or made: *Provided,* That the purchase money shall be a lien on the premises sold until fully paid, according to the decree of the court.

Sales of real estate under order of orphans' court, relative to terms of payment.

SECTION 2. That all sales of real estate heretofore ordered by the orphans' court as aforesaid, wherein a longer time than one year shall have been directed for the final payment of the purchase money, shall be taken and deemed to have the same force and effect, and be as valid and binding as if the purchase money therein had been ordered and directed to have been paid within one year from the time of any such sale or sales: *Provided,* That this act shall not apply to the city of Philadelphia.

Proviso.

Sales of real estate heretofore ordered, relative to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 210.

A SUPPLEMENT

To an act to incorporate the village of Port Carbon into a Borough, approved the twenty third day of April, Anno Domini one thousand eight hundred and fifty-two.

WHEREAS, By the tenth section of said act, the town council of said borough are required to make a survey and draft of the boundary lines of the streets, lanes, roads, alleys and public squares or grounds of said borough:

And whereas, A survey and draft heretofore made, intended to be in pursuance of the provisions of said section, is believed to be defective and incomplete; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the town council of said borough are hereby authorized, required and enjoined to cause to be made a new and accurate survey and draft, or plot, of the boundary lines of the streets, roads, lanes, alleys, grounds and public squares of said borough, having reference to the original plots and grounds dedicated to public use, by any original proprietor of lands embraced within the limits of said borough, as well as to any other evidence of public rights therein, in the manner and with like effect as required by the tenth section of said act; and shall cause a copy of said survey, draft or plot, to be filed in the office of the clerk of the quarter sessions of said county; and one other copy, after having been first recorded in the office for recording deeds in said county, to be filed and kept with papers of said corporation; and the said draft so filed or recorded, or copies thereof, shall be conclusive as to the course and width of the streets, roads, lanes, alleys, public squares or grounds in said draft mentioned and described; and said survey and draft shall be in lieu of any other survey and draft heretofore made: *Provided*, That this act shall in nowise affect any title to real estate within the limits of said borough, vested under the said former survey and draft.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 211.

A SUPPLEMENT

To an act to incorporate the Chestnut Hill Water Company, passed April the twenty-fourth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the limitation contained in the second section of the act to which this is a supplement, requiring the works of the company to be commenced within two years and completed within three years from the passage of said act, be extended so as to allow the said company, from and after the passage of said act, four years for the completion of their said work.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 212.

AN ACT

To pay the claim of Charles Fisher.

WHEREAS, It appears from the books of the canal commissioners, that the board of appraisers, in the year one thousand eight hundred and thirty-seven, awarded to Charles Fisher the sum of two hundred and fifty dollars, for damages sustained by him on the Susquehanna division of the Pennsylvania canal, which award, it appears from the books in the auditor general's office, has never been paid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and required to pay to the order of Charles Fisher, the sum of two hundred and fifty dollars, that being the amount awarded to him for

damages on the Susquehanna division of the Pennsylvania canal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 213.

AN ACT

To incorporate the Millport Turnpike Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas E. Franklin, David Bear, Henry Musselman, Amos F. Herr, John Musselman, Francis Herr, John F. Herr, Christopher Hager, John Echteinocht, Samuel Curtis and Henry Bear, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Strasburg and Millport turnpike road company, with power to construct a turnpike road from a point near the Swan tavern, in the borough of Strasburg, over the public road by Musselman's mill and Millport, to a point on the Philadelphia and Lancaster turnpike near Millport, and to straighten said public road wherever it may be expedient, subject to all the provisions and restrictions, and with all the powers and privileges contained in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto, approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, except that the said company may erect toll gates and charge tolls upon the completion of the said turnpike road, although the same shall not extend five miles in length.
Style	
Route.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars per share: <i>Provided,</i> That said company may by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much as may be deemed necessary to complete the said road and carry out the true intent and meaning of this act.
Commencement and completion.	SECTION 3. That if said company shall not commence the said road within three years from the passage of this act, and com-

plete the same within six years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No 214.

AN ACT

To repeal an act regulating the manner of voting at the General Election in the counties of Wayne and Schuylkill, so far as said act relates to the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled “An Act regulating the manner of voting at the general election in the counties of Wayne and Schuylkill,” and approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby repealed, so far as said act relates to the county of Schuylkill.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 215.

AN ACT

To repeal former acts relating to the borough of Schuylkill Haven, in the county of Schuylkill, and extending the general features of an act regulating boroughs, approved the third day of April, A. D. one thousand eight hundred and fifty-one, of said borough.

Certain acts repealed.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> all existing acts of the general assembly, relating to the borough of Schuylkill Haven, in the county of Schuylkill, except so far as the said acts relate to the boundary lines of the said borough and the several wards thereof, which shall remain as heretofore, be and the same are hereby repealed.
Subject to the provisions of act regulating boroughs.	SECTION 2. That the provisions of an act regulating boroughs, approved the third day of April, A. D. one thousand eight hundred and fifty-one, be and the same are hereby extended and applied to the said borough of Schuylkill Haven, except so far as the same are hereby altered, modified or supplied.
Corporate name.	SECTION 3. That the corporate name, style and title of the said borough, shall be "The borough of Schuylkill Haven."
Elections, when held.	SECTION 4. That the qualified voters of the said borough shall, on the second Friday of May next, and annually on the third Friday of February thereafter, between the hours of ten
Election of borough officers.	A. M. and seven P. M., elect by ballot, borough officers as follows: At the said first election, three councilmen and three
Residence.	school directors for each ward, all of whom shall reside in the respective wards in which they shall be elected; one of said
Terms of office.	councilmen and one of said school directors for three years, one for two years and one for one year; the respective terms to be
Vacancies how filled.	designated by lot, after the said election; and annually thereafter each ward shall elect one councilman and one school director, resident in their respective wards, for the term of three
Burgess and assistant burgess.	years; and whenever any vacancy shall occur in the town council or school board, by reason of removal, resignation, death, or other cause, the board in which such vacancy occurs, shall, within thirty days thereafter, fill such vacancy by ap-
Auditors.	pointment, until the next annual election. At the same time and place as aforesaid, the qualified voters of the entire borough of Schuylkill Haven, shall elect by ballot, one chief burgess and one assistant burgess, one high constable and two common
Judge and inspectors.	constables, and one supervisor, all of whom shall hold their offices for the term of one year; three borough auditors, to serve three years, whose duty it shall be to audit, annually, the accounts of the town council and school board; and one assessor and two assistant assessors, when required by the laws of this commonwealth. The qualified voters of each ward shall also elect, annually, at the time and place, and in the manner aforesaid, one judge and two inspectors of the general election, who

shall also serve as officers to hold the borough and special elections.

SECTION 5. That the places of holding the elections in the several wards of the said borough, shall remain as fixed by a former act of assembly, subject to the right of the electors to change the same, according to the provisions of the fifty-sixth section of the act of assembly, passed the second day of July, one thousand eight hundred and thirty-nine, entitled "An Act relating to the elections of this commonwealth."

Places of holding elections, relative to.

Subject to.

SECTION 6. It shall be the duty of the town council and school board, within ten days after each borough election, to call a meeting of their respective boards, for the purpose of installing the new members into office, and of handing over the books, papers and other property, to their successors in office.

Duty of council and school board.

SECTION 7. It shall be lawful for the justices of the peace, now holding commissions in said borough, to exercise the functions of their office for the full term for which they were elected; and it shall be the duty of the electors of said borough, in their respective wards, at the last borough election prior to the expiration of said commissioners, to elect one justice of the peace in each ward, who shall be a qualified voter in the ward in which he shall be elected, whose term of office shall commence when the terms of the present justices expire.

Justices of the peace.

SECTION 8. That the borough, general and special elections for the North ward of said borough, shall be held hereafter at the public house now owned and kept by Adam Snyder; the borough, general and special elections for the South ward shall be held hereafter at the public house now kept by widow Koons, and known as Washington hall; the elections for the East ward shall be held at the public house now kept by Israel Seitzinger, and known as the Golden Swan hotel; the elections for the West ward shall be held at the public house of John C. Stanton.

Elections for the North ward, where held.

For the South ward.

For the East ward.

SECTION 9. That the present officers of said borough shall hold their offices until their successors are duly elected and qualified, according to the provisions of this act.

Present officers, relative to.

SECTION 10. That all laws inconsistent with this act, be and the same are hereby repealed, so far as the same relates to the borough of Schuylkill Haven.

Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 216.

SUPPLEMENT

To an act to incorporate the Lock Haven and Flemington Plank Road and Turnpike Company, approved the sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That as soon as said company shall have completed said road, agreeable to their charter, from the intersection of Mill street with Main street, in the borough of Lock Haven, to a point at or near the bridge across the Bald Eagle creek, in Allison township, it shall be deemed and taken for all purposes, the same as a section completed and finished under the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 217.

AN ACT

To authorize the Election of two additional Supervisors in Washington and Richhill townships, Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the qualified voters of Washington and Richhill townships, in the county of Greene, shall, in addition to the two supervisors now required to be elected by law, elect at the annual township election of said townships, two additional supervisors, who shall be authorized

to perform all the duties and be subject to all liabilities now by law imposed on supervisors of townships.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 218.

A N A C T

Abolishing the separate School District erected out of a portion of the township of Upper Salford, in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of the act, entitled "An Act to erect a part of Upper Salford township, Montgomery county, into a separate school district, to be called the Old Goshenhoppen school district; to incorporate the Susquehanna and Union bridge company; relative to certain election districts in the counties of Mercer, Clearfield and Washington; to certain school districts in the counties of Columbia and Chester, and to the appointment of an additional commissioner to settle the affairs of the Lehigh County Bank," passed the thirtieth day of April, one thousand eight hundred and fifty; and the fifth section of the act, entitled "An Act relative to the assessment and collection of an additional school tax in certain townships in the county of Chester, and for other purposes," passed the seventeenth day of April, one thousand eight hundred and forty-six, be and the same are hereby repealed; and the township of Upper Salford, in said county of Montgomery, shall hereafter constitute but one school district, subject to the provisions of the general school laws of the commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 219.

AN ACT

For the relief of Rachel George, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Rachel George, of Westmoreland county, widow of David George, a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-nine, and payable half yearly thereafter on the first of January and July.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 220.

AN ACT

Relating to the limits of the borough of Wrightsville, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of Henry Wilton's farm, incorporated into the borough of Wrightsville, being a part of the farm conveyed to the said Henry Wilton by William Wright, by deed, bearing date the thirteenth day of February, Anno Domini one thousand eight hundred and forty-five, be and the same is hereby cut off from the borough of Wrightsville and annexed to Hellam township.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 221.

A N A C T

For the relief of Stephen H. Lauchlin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby directed to pay to Stephen H. Lauchlin, or his order, the sum of two hundred dollars, for and in full of all damages for injuries received by the said Stephen H. Lauchlin, from a fall from the abutment of the aqueduct in the Juniata division of the Pennsylvania canal, where the same crosses the Kishacoquillas creek, in Mifflin county, on the night of the second of August, Anno Domini one thousand eight hundred and fifty-six, the said accident having occurred, and the injuries resulting therefrom having been caused by the neglect of the officers of said division to maintain and keep up the railing or balluster originally erected by the said commonwealth, for the protection of passers by or over the foot path of the said aqueduct.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 222.

A N A C T

In reference to certain Mortgages therein stated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the mortgages heretofore executed by the Philadelphia and Reading railroad company, upon their estates, roads, tolls and franchises, be and the same are hereby ratified and declared to be good and valid in all the provisions thereof, and the said company are hereby authorized to sell and dispose of any pro-*

perty, real or personal, now owned by them, whether purchased or received in payment of debts, which is not required for the purposes of their business.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 223.

AN ACT

To incorporate the Union Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners. J. Edgar Thompson, S. M. Felton, Robert D. Cullen, Edward C. Dale, Frederick Graff, Wm. H. Gatzmer, Frank Comly, Strickland Kneass, John C. Cresson, Robert F. Stockton, Joseph Singerly, W. S. Moorhead, John Lindsay, Wm. B. Foster, Coffin Calket, E. Costpichin, or any five of them, be and they are hereby appointed commissioners to receive subscriptions to, and

Style
Powers organize a company under the name, style and title of the Union railroad company, with power to build a railroad, with one or more tracks, and the necessary sidings, upon such line as will connect the several railroads entering the city of Philadelphia, and to construct a bridge for said road, over the Schuylkill river, at any point north of Chesnut street and south of Girard avenue bridge, and to tunnel any street or streets in said city, north of said Chesnut street, between the Schuylkill and Delaware rivers, that may be necessary to carry out the aforesaid object, and with all the powers and privileges, and subject

Subject to to all the restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, not inconsistent with this act: *Provided*, That said company shall not have the right to occupy the surface of any street for the laying of a railroad track, east of Twenty-second street or west of Front street.

Power to erect
and lease them. SECTION 2. That the said company shall have power to erect, at such points on their railroad as may be determined, a union station and depots, and to lease the same, or any portion thereof, to the several railroad companies whose roads enter or terminate in the city of Philadelphia.

SECTION 3. That the capital stock of said company shall consist of forty thousand shares of fifty dollars each, to be increased, if deemed necessary by the stockholders to carry out the object of this act, to any amount not exceeding sixty thousand shares; and said company shall have power to issue mortgage bonds, not exceeding two hundred and fifty thousand dollars, if required to complete the works. Capital stock.

SECTION 4. That it shall and may be lawful for any railroad company having a terminus in the city of Philadelphia, to subscribe to the capital stock of said company, such amount as the board of directors of said company may direct, and if deemed necessary by the directors of such company, to issue the bonds of the company in payment for the stock subscribed. Railroad companies may subscribe to capital stock.

SECTION 5. That the location of said road shall be approved by the select and common councils of said city of Philadelphia, before its construction is begun. Location to be approved by councils.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 224.

A N A C T

To incorporate the Fairmount Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hiram Miller, Henry Volkmar, Stillwell S. Bishop, Josiah L. Haines, George Watson, William Stapler and George W. Cole, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Fairmount market company, with a capital stock of one hundred thousand dollars, divided into two thousand shares of fifty dollars each; and the said Fairmount market company shall have and enjoy all the rights, privileges and immunities, and be subject to all the liabilities and restrictions contained in an act to incorporate the Eastern market company of Philadelphia, approved February eighteenth, one thousand eight hundred and fifty-nine, not inconsistent with this act: *Provided,*

LAWS OF PENNSYLVANIA,

That the said Fairmount market company shall be located in the Fifteenth ward of the city of Philadelphia.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 225.

A SUPPLEMENT

To an act incorporating the Sheafferstown Academy, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the stock sold of said Sheafferstown academy, in the county of Lebanon, previous to February nineteenth, one thousand eight hundred and fifty-nine, is hereby reduced to one-fourth of its original value.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 226.

AN ACT

Relating to Deer in the counties of Adams, Berks, Franklin and Fulton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

from and after the passage of this act, if any person or persons in the counties of Adams, Berks, Franklin and Fulton, shall hunt, chase, or pursue with any dog or dogs, with design to kill or destroy any buck, doe, or fawn, within the said counties of Adams, Berks, Franklin and Fulton, at any season of the year, or shall entice any dog or dogs, to chase as aforesaid, with the like design, he or they, on being convicted thereof, shall forfeit and pay for every such offence a sum not exceeding twenty-five dollars, nor less than fifteen dollars, to be sued for and recovered with costs, before any justice of the peace, in the name of the commonwealth, at the instance of any person who may sue therefor, and who is hereby made a competent witness, as debts of like amount are now recoverable; one-half of said fine or penalty to be paid to the person suing for the same, and the other half to the treasurer of the school district in which the offence has been committed, for the use of the common schools of said district: *Provided*, That such suit shall be commenced within one year from the commission of such offence.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 227.

AN ACT

To appoint a Road Commissioner to take charge of a portion of the Warren and Brookville and of the Warren and Strattonville State Roads, in Forest county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John D. Hunt, of Forest county, be and he is hereby appointed road commissioner to take charge of, open, maintain and keep in good repair all that part of the Warren and Brookville state road, where the same crosses the Clarion river, in the village of Clarington, in Forest county, to the point where it intersects the Warren and Strattonville state road, in Marien, the county seat of Forest county, and all that part of the Warren and Strattonville state road, where the same intersects the said Warren and Brookville state road, in the town of Marien and county

Commissioner ap-
pointed to take
charge of said,
&c.

- Powers of commissioner. aforesaid, to the point where it crosses the Forest and Warren county line; all that part of the Warren and Ridgway turnpike road, in Forest county, and shall possess all the powers and be charged with all the duties and responsibilities of supervisors of the highways, under the general road laws of this commonwealth, and shall hold his office for a period of five years from and after the first day of April, Anno Domini one thousand eight hundred and fifty-nine.
- Term of office.
- To give bond and take oath. SECTION 2. That it shall be the duty of the said commissioner, before he enters upon the duties of his office, to give a bond in the sum of double the amount of road funds that will be likely received by him, with one or more sureties, to be approved by at least two of the judges of the court of quarter sessions of the said county of Forest, which shall be filed among the records of said court, well and faithfully to discharge the duties of his said office, and account for all the funds received by him, together with an oath, faithfully and truly to discharge the duties of his said office, according to the best of his judgment and ability.
- In case of vacancy or resignation court to appoint. SECTION 3. That upon failure of the said commissioner to comply with the requisitions of the second section of this act, and in all cases of vacancy thereafter, by death, resignation, removal, or failure to perform the duties of said office, it shall be lawful for the court of quarter sessions of said county to appoint some suitable person to fill such vacancy, who shall be subject to all the provisions of this act and possess the powers therein conferred.
- Tax to be levied and collected. SECTION 4. That to carry out the provisions of the first section of this act, it shall be the duty of said commissioner to levy and collect a tax, annually, during the term of his said office, upon all the property, real and personal, and upon every thing which is made the subject of taxation under existing laws, for state and county purposes, in the said county of Forest, not exceeding three mills on the dollar in any one year, according to valuation for county rates and levies; which tax shall be levied and collected in the same manner as supervisors of highways are authorized to do by law: *Provided*, That the three mills shall not be construed as an additional tax, but to be a part of the taxes now authorized by law for road purposes.
- Duty of county commissioners. SECTION 5. That to enable the road commissioner more effectually to carry out the provisions of the fourth section of this act, it shall be the duty of the county commissioners of Forest county, as soon as the assessors of all the townships in said county have made a return of their transcripts, to furnish said road commissioner, annually, during the term of years for which the said commissioner is appointed, with a correct copy of the last adjusted valuation in the several townships of said county.
- Farther duties. SECTION 6. That it shall be the duty of the said commissioner to keep an accurate account of all the moneys and orders received by him, and his expenditure of the same, and shall present the same, verified by oath, for settlement, to the auditors who shall be appointed as hereinafter provided; and shall pay to said auditors the sum of one dollar and fifty cents to each per day, for the time necessarily spent in the discharge of their duty.

SECTION 7. That the court of quarter sessions of Forest county is authorized and required, at the first session after the passage of this act, to appoint three competent persons as auditors, two of whom shall constitute a quorum to do business, and who shall possess all the powers that township and county auditors now have under existing laws, and shall hold their office for and during five years; and any vacancy that may occur in the said office of auditor, by death or resignation, shall be filled by the said court; and it shall be the duty of the said auditors to meet at the commissioners' office in said county, on the first Monday of April, Anno Domini one thousand eight hundred and sixty, and on the first Monday in April in every year thereafter, until the expiration of their term of office, and after being duly sworn or affirmed by some person having authority to administer oaths, to discharge the duties of their office with fidelity, shall audit, settle and adjust the accounts of the said road commissioner, allowing him a compensation of one dollar and fifty cents per day for the time necessarily spent by him in the discharge of his duties of commissioner; and shall make a true report of their settlement to the next court of common pleas, which shall cause the same to be filed among the records of said court. Any one or more tax-payers, resident in said county of Forest, may, on behalf of the county, or the said commissioner on his own behalf, take an appeal from said report, subject to all the requirements of the law, passed the fifteenth day of April, one thousand eight hundred and thirty-four, permitting appeals from reports of county auditors.

Court to appoint auditors.

Powers.

Term and vacancy.

Meeting of auditors.

Duty of auditors.

Subject to.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 228.

A SUPPLEMENT

To an act to provide for the erection of a House for the employment and support of the Poor for the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the date hercof all orders for the relief or support of paupers, in the county of Lehigh, which shall be signed only by one justice of the peace of said county, shall be deemed

Orders for the relief of paupers, relative to

and taken to be as valid as if the same were signed by two justices of the peace.

Directors authorized to sell real estate

SECTION 2. That the directors of the poor and of the house of employment for the county of Lehigh, be and they are hereby authorized and empowered to sell and convey, in fee simple, for such prices and upon such terms and condition as the said directors of the poor and of the house of employment for the county of Lehigh, may deem most advantageous such part of the land belonging to the said institution, as may be required by the Allentown railroad company, for the making and constructing their railroad through the same, and to execute good and sufficient deeds for the same to the said Allentown railroad company, upon the payment of the purchase money for the same; the purchase money thereof to be paid into the treasury of the said institution.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 229.

AN ACT

Repealing a supplement to an act incorporating the borough of Newport, in the county of Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "A supplement to an act incorporating the borough of Newport, in the county of Perry," approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby repealed, and the boundary lines of said borough shall be and remain as they existed previous to the passage of said supplement.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 230.

A N A C T

To amend the Charter of the borough of Jersey Shore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of said borough shall, at the next annual election of borough officers after the passage of this act, elect six persons, citizens of said borough, to serve as members of the town council, as follows, namely: Two persons to serve for one year; two persons to serve for two years, and two persons to serve for three years, and annually thereafter two persons to serve, as aforesaid, for three years and until their successors are duly elected and qualified; and in case of any vacancy occurring by the death, resignation or removal of a member, or otherwise, the said council shall have power to appoint a proper person to fill said vacancy until the next annual election of borough officers, when the electors shall elect a person to serve for the unexpired term: *Provided*, That the several terms of said members shall be decided at their first meeting, by lot, under the supervision of the burgess: *And provided further*, That four of said members shall constitute a quorum for the transaction of business.

Members of council, election of and terms of service.

Proviso.

Proviso.

SECTION 2. That the burgess shall ex-officio be president of the council and entitled to the casting vote.

Burgess to have casting vote.

SECTION 3. That in the absence of the burgess of said borough, or in case of his inability to act, or if a vacancy in said office occur, the said council shall choose one of their number as president, who shall, during such absence, inability, or vacancy, possess and exercise the powers and perform the duties enjoined upon and possessed by said burgess, and shall be entitled to the same fees that are allowed to the burgess for like services.

Vacancy in the office of burgess

Fees.

SECTION 4. That so much of the charter of said borough as is inconsistent with this act, be and the same is hereby repealed.

Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 231.

A FURTHER SUPPLEMENT

To the act incorporating the Directors of the Poor and House of Employment for the townships of Oxford and Lower Dublin, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the directors of the poor and house of employment for the townships of Oxford and Lower Dublin, in the county of Philadelphia, be and they are hereby authorized and required to keep a suitable register for the purpose of registering unpaid taxes, similar to the registry of taxes in the city of Philadelphia, and at the expiration of five years to sue for the same, in the manner provided for in the act consolidating the city of Philadelphia, and the various supplements thereto.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 232.

AN ACT

In regard to Collectors in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the several collectors of Tioga county may make returns to the county commissioners of all taxes they are directed to collect, and it shall be lawful for the county commissioners to make

such abatements as they deem proper: *Provided*, Such returns are made on or before the first day of August next.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 233.

A N A C T

Repealing certain Supplements of the Wellsboro' and Tioga Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of an act, entitled "A supplement to the act incorporating the Wellsboro' and Tioga plank road company," approved the nineteenth day of April, A. D. one thousand eight hundred and fifty-eight, and the first section of an act, entitled "A supplement to an act to incorporate the Wellsboro' and Tioga plank road company," et cetera, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six, be and they are hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 234.

A N A C T

To incorporate the Union Cemetery Association of the borough of Womelsdorf, Berks county.

Preamble.

WHEREAS, Several citizens of this commonwealth hereinafter named, have associated for the purpose of establishing a cemetery in the borough of Womelsdorf, county of Berks, including about two acres, more or less, (with the privilege of adding two acres,) of a certain tract of land in said borough of Womelsdorf, and aforesaid county, bounded by lands of Peter Spang, George Voneida, Isaac Deppen and Churh alley, which shall be used for the purpose of interment, and they have desired that they and their successors may be incorporated for establishing and perpetuating such cemetery ; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Elias Fidler, William M. Sallade, Peter Spang, John M. Schonour, William Moore, William Nehf, Isaac Fidler, John H. Sell, Eli Deppen, M. B. Bollman, A. S. Valentine, William Arnold, L. D. Gockley, Samuel Tolbert, Henry Benethum, Jacob Stoudt, William Person, Absalom Fisher, Henry Behny and Walker Stephen, be and they are hereby made a body politic and corporate in law, under the name, style and title of the Union cemetery association of the borough of Womelsdorf, and by that name shall be able and capable in law, to have and use a common seal, to sue and be sued, to plead and be impleaded, and so to do all such other things as are incident to a corporation.

Style.

Trustees.

SECTION 2. That Elias Fidler, William M. Sallade, Peter Spang, John M. Schonour and William Moore, shall be trustees of said Union cemetery association, and whenever a vacancy shall occur in the board of trustees, that the remaining board shall have the power to fill the vacancy by election, or until otherwise provided by law, so that the ground selected for cemetery may be preserved for the purpose intended, and those who bury there may be assured of continued protection to the remains of relatives and friends who have been committed to the earth.

Vacancies, how filled.

Power of trustees

SECTION 3. That the trustees aforesaid shall have power to lay out and ornament the grounds purchased by said cemetery association for the purposes of this corporation, to erect suitable buildings thereon, and keep the buildings and premises in decent repair; to arrange burial lots and sell and dispose of the same for burial places, under such rules as may be proper and necessary; to make by-laws and regulations from time to time, relative to the duties of trustees, and relative to the appointment of suitable officers and agents, and their duties and compensation, and from time to time to make such other rules and

By-laws.

regulations, for the government of lot holders and visitors, as they may deem necessary.

SECTION 4. That the association shall be capable of holding so much personal property as may be necessary for the purposes of this incorporation; and it shall be the duty of the managers, out of the proceeds of sale of burial lots, to create a fund to be invested in ground rents or mortgages, the income whereof shall be of adequate amount and applied as may be necessary for the improvement and perpetual maintenance of the cemetery in proper order.

Income from sale of lots, how applied.

SECTION 5. That there shall never be any fixed religious rules or ceremonies adopted for the burial of the dead, for each and every lot holder shall have the privilege to bury his or her dead with such ceremonies and by such minister as he or she, the lot holder, may see proper, and no dead body of any person shall ever be refused burial in said cemetery: *Provided*, The lot holder choose to bury the same on his or her lot.

Religious rules and ceremonies, relative to.

Proviso.

SECTION 6. That every lot conveyed in such cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with consent of trustees in trust and their successors in office, and shall not be subject to attachment or execution.

Burial lots not subject to execution, &c.

SECTION 7. That no streets, roads or lanes shall hereafter be opened through the lands of said corporation, except by and with the consent of the said trustees in trust; and that any person who shall wilfully destroy, mutilate, deface, injure or abuse any tomb, monument, grave stone, or other structure placed in the cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant, within the limits of said cemetery, or shall shoot or discharge any gun or other fire arms within said limits, shall be deemed guilty of a misdemeanor or, and such person shall, upon conviction thereof, before any alderman or justice of the peace, make good the damage occasioned by him or them, and pay a fine of five dollars to said corporation.

Streets and roads, relative to.

Penalty for mutilating trees, tombs, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 235.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Big Mountain Improvement Company," approved April twelfth, one thousand eight hundred and fifty-one.

Preamble.

WHEREAS, The Big Mountain improvement company did, on the twenty-fourth day of January, one thousand eight hundred and fifty-three, in pursuance of the act of incorporation of the said company, approved April twelfth, one thousand eight hundred and fifty-one, organize and acquire certain lands situate in Coal township, Northumberland county :

And whereas, Large expenditures have been made by the said company upon their said lands in the improvement and development thereof, and in the construction of a railroad, and debts have been incurred therefor, and it is necessary for the proper improvement and development of the mines in the said lands that further expenditures should be made, and the said company desire to procure the money necessary for the payment of the debts now due by them, and also for the future improvement and development of said lands and mines, by mortgage ; therefore,

Authorized to issue bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the majority of the stockholders of the said company, present at a meeting to be called in the usual manner, and voting according to their charter, to authorize their president and directors to issue, from time to time, bonds in the corporate name and under the corporate seal of the said company, for any sum not less than five hundred dollars each, payable at any period the said president and directors may see fit, not later than thirty years after their date, with coupons attached to the same, for interest thereon, payable semi-annually, at a rate not exceeding seven per centum a year, which said bonds shall not, in the whole, exceed the sum of one hundred thousand dollars ; and it shall and may be further lawful for the said stockholders, at such meeting and in manner aforesaid, to authorize the said president and directors to secure the payment of the said bonds and coupons, by executing, in the corporate name and under the common seal of the said company, a mortgage in any form they may see fit, to trustees to be named by them, on their franchises, mines, railroad and real estate, without prejudice to the security of the mortgage thereon ; and it may and shall be further lawful for the said stockholders, at such a meeting as aforesaid, and voting in manner aforesaid, to empower the said president and directors to sell and dispose of at public or private sale, the said bonds by this section authorized to be issued, for the best price or prices which can be obtained for the same, and at such time or times as the said president and directors may deem most expedient and conducive to the interests of

To be secured by mortgage.

the said company; and the purchase of the said bonds authorized to be issued as aforesaid, shall not be deemed usurious or in violation of any law of this commonwealth.

SECTION 2. That the said company be authorized also to hold May hold lands. timber lands in said county of Northumberland, necessary for the purposes of their business, not exceeding in the whole two thousand acres, and may include the same in the mortgage authorized by the first section hereof.

SECTION 3. That no mortgage or other instrument hereafter Wages of miners, laborers and mechanics, relative to. executed, creating a lien under the provisions of this act, or of existing laws, shall be held or operate to postpone or impair the lien and preference secured to the wages of labor of miners, laborers, mechanics and others, under existing law, or laws that may be hereafter enacted.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 236.

AN ACT

Authorizing the Directors of the Poor, in the county of Cumberland, to re-build the Barn and other buildings lately destroyed by fire.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and of the house of employment for Directors authorized to re-build certain buildings the county of Cumberland, are hereby authorized and empowered to re-build the barn and other buildings lately destroyed by fire, belonging to said corporation, and to make all necessary contracts and to do all other matters to carry out the object intended; and whenever any of said buildings belonging to said corporation, shall be hereafter destroyed, they are hereby authorized to re-build the same.

SECTION 2. The commissioners of Cumberland county are Tax, relative to. hereby authorized to increase the tax of said county, so as to afford a sum sufficient to re-build the said buildings; and all

LAWS OF PENNSYLVANIA,

action already taken by said commissioners towards this object, is hereby legalized.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 237.

AN ACT

Relative to taxing Dogs in West Nottingham township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act laying a tax on dogs in the borough of West Chester, and certain townships in the county of Chester, and for other purposes, approved the fourteenth day of April, one thousand eight hundred and forty-six, be and the same is hereby extended to the township of West Nottingham, in said county of Chester.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 238.

A N A C T

To provide for the election of an additional Supervisor in Wayne township, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the legal voters of Wayne township, Mifflin county, to elect an additional supervisor (on the south side of the Juniata river) for said township, annually, at the regular spring election.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 239.

A N A C T

Extending the provisions of an act concerning the appointment of Road Viewers and Road Damages in Northampton county, to the county of Monroe, passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act concerning the appointment of road viewers and road damages in Northampton county, passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby extended to the county of Monroe.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 240.

A N A C T

To change the lines of the borough of California, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the lands of Henry Dowler, J. M. Harris, Emily Wood, A. Imly, Samuel Rothwell, John R. Gregg, Job Johnson, L. Shutterly, lying on the east and south-east side of, and attached to or within the bounds of the borough of California, in the county of Washington, shall hereafter be attached to, and considered parts of East Pike Run township, in said county; and all assessments hereafter made on such lands, for county, state or school purposes, shall be charged on the duplicates for taxes of said township.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 241.

A S U P P L E M E N T

To an act to incorporate the Fairmount and Arch Street City Passenger Railway Company, approved April sixteenth, Anno Domini one thousand eight hundred and fifty-eight.

Preamble.

WHEREAS, Heretofore, to wit: on the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, the general assembly of this commonwealth passed an act to incorporate the Fairmount and Arch Street Passenger railway company:

And whereas, It was provided amongst other things in said act, that before the said company should use and occupy the streets for the purpose of constructing a passenger railway, the consent of the councils of the city of Philadelphia should be first obtained, and that said consent should be deemed to have

been given, if said councils should not within thirty days after the passage of the act signify their disapproval thereof:

And whereas, Afterward, to wit: the fifth day of May, Anno Domini one thousand eight hundred and fifty-eight, the said city councils, by ordinance duly passed, did disapprove of the said act of assembly, which ordinance was passed for the purpose of preventing the said act from taking effect within thirty days aforesaid:

And whereas, Subsequently to the passage of the same, to wit: on the eleventh day of August, one thousand eight hundred and fifty-eight, the company was duly organized under said act of assembly, for the purposes mentioned therein, letters patent being on said day issued by the governor of the commonwealth:

And whereas, On the sixteenth December, one thousand eight hundred and fifty-eight, the consent of the councils of the city of Philadelphia was duly given to the use and occupation of certain streets mentioned in said ordinance, the said company, for the purpose of constructing a passenger railway thereon:

And whereas, Relying on said act of assembly and the said ordinance, the said company have expended large sums of money in purchasing materials, making contracts in the actual execution of said work, a considerable portion of it having been already fully completed:

And whereas, Under certain proceedings commenced in the supreme court of this state, said company has been enjoined from the further prosecution of the work, for the reason that the said city councils had no power to pass the ordinance, giving their assent to the occupancy of the streets, after having dissented therefrom within the thirty days mentioned in the said act:

And whereas, Common justice requires that the corporate powers heretofore given to said company, should be maintained; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Fairmount and Arch Street City Passenger railway company be and they are hereby authorized to construct a railway on the route mentioned and set forth in the first section of the Route. act to which this is a supplement, and that they shall have power to convey passengers over the same, as if the consent of the councils of the city of Philadelphia, to the use and occupation of the streets mentioned in said first section, had been given in due form of law, within thirty days after the passage of the act to which this is a supplement, as provided for by the seventh section of said act. Use and occupation of streets.

SECTION 2. That the tenth section of said act to which this is a supplement, is hereby repealed; and in lieu thereof the said company are hereby authorized to connect with and run over any passenger railroad or railroads, that is now or may hereafter be constructed, so as to give the said company a complete route from Fairmount to the Exchange, in the said city of Philadelphia: *Provided*, That before the said company shall run their cars on the track or tracks of any passenger railway or railways, they shall agree upon the terms of compensation to be paid said com- Certain act repealed. Proviso.

pany or companies, for the privilege of using said road or roads; and that if the said parties shall not agree, then either parties shall apply to the court of common pleas, who shall appoint three disinterested persons, whose adjustment shall be final.

Consent of councils to be obtained.

SECTION 3. That said company may, after the special consent of councils of the city of Philadelphia shall have been first obtained, by ordinance duly passed, in lieu of two tracks on that part of Callowhill street which is between Hamilton and Twenty-second street, construct one of their tracks on Twenty-second street, from Callowhill to Hamilton, and thence west on Hamilton street to Callowhill street: *And provided*, That said company shall be subject, in all respects, to the general provisions of the general law regulating railroads, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Route changed.

Proviso.

Consent of councils relative to.

SECTION 4. That the charter of the said company shall be and remain in as full force as if said councils had assented thereto by ordinance, within thirty days from the passage thereof.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 242.

AN ACT

To encourage the destruction of Foxes in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter the premiums on scalps of red and gray foxes caught and killed in the county of Beaver, shall be as follows: For each scalp of a grown red or gray fox, seventy-five cents, and for each scalp of those not full grown, fifty cents; and so much of any act of assembly as is inconsistent herewith is hereby repealed.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 243.

A SUPPLEMENT

To an act to incorporate the Milton Saving Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the number of directors of the Milton Saving Bank shall be increased to nine, and that the present board of directors be authorized to fill the vacancy until the annual election for directors.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 244.

AN ACT

To provide for the collection of additional Taxes in the township of Bingham, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road supervisors of the township of Bingham, in the county of Potter, be and they are hereby authorized and empowered, in addition to the tax now authorized by law to be assessed and collected in said township, to levy and collect an additional tax not exceeding one per centum in any one year on the last adjusted valuation of property in said township for county purposes, the same to be levied and collected in manner as is now provided by law for levying of taxes in said township, the same to be appropriated in making roads and building bridges in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 245.

A SUPPLEMENT

To the Charter of the borough of Harrisburg.

- Provisions of certain act repealed
- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the several acts of assembly incorporating the borough of Harrisburg, and every and all other laws with reference thereto, as requires members of the town council and high constable of the said borough, to be freeholders, be and the same is hereby repealed; and the officers aforesaid shall possess all the qualifications, and be subject to all the restrictions of the general law regulating boroughs, approved April first, one thousand eight hundred and thirty-four, with its several supplements.
- Number of members of council.
- SECTION 2. There shall hereafter be elected in said borough, thirteen members to compose a town council, to wit: From the West precinct of the North ward, three members; from the North precinct of the North ward, three members; from the East precinct of the South ward, three members; from the South precinct of the South ward, three members; from the borough at large, one member, who shall be chief burgess; the latter to be voted for as "Town council at large," in each of said wards and precincts, every year. Of the above members from precincts one-third shall serve one year; one-third, two years; one-third, three years. Hereafter the council shall fix the places of holding the municipal elections in the respective precincts and wards above designated; but the first election under this act shall be held at the present places of holding the general election in said borough.
- Place of holding elections fixed by council.
- SECTION 3. The office of assistant burgess be and the same is hereby abolished, so far as relates to said borough.
- Office of assistant burgess abolished.
- SECTION 4. That at the first meeting of the council after the passage of this act, the members thereof shall proceed immediately to decide by lot the terms for which they shall respectively serve: *Provided,* That no member of the town council or other borough officer shall be interested in any contract for labor or materials furnished to the borough, or work executed for the same.
- Terms of members of council to be decided by lot
- Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, Jr.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 246.

A N A C T

Supplementary to an act relating to Roads, Highways and Bridges in the counties of Warren, Venango and M'Kean, approved the ninth of April, one thousand eight hundred and forty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the roads in the county of Venango shall be laid out and altered according to the provisions of the general road laws of this commonwealth; and so much of any special law as is hereby altered or supplied, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 247.

A N A C T

Relative to Passenger Railway Companies in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the appraisers, appointed to assess the amounts to be paid by any passenger railway company in the city of Philadelphia, shall have failed, or shall hereafter fail to agree in their appraisement of the property required to be purchased by such company by their act of incorporation, it shall be competent for the district court of said city to appoint three capable and disinterested persons, whose duty it shall be, after having been duly sworn or affirmed, to proceed to make a just and true appraisement of the actual cash value of said property, agreeably to the act of incorporation of said company, and file a copy of their appraisement in the said district court, within

thirty days after their appointment, and the decision by a majority of said appraisers, shall be final and conclusive, when approved by the judges of said district court: *Provided*, That after the appointment of such appraisers it may be lawful for the court which may have granted any injunction against any passenger railroad company of the said city, in consequence of the failure of the appraisers to agree upon and fix the value of the property to be appraised as aforesaid, on the application of any such company, to remove or dismiss such injunction: *Provided*, The said company shall tender good security for the payment of the value of the property to be ascertained, according to the provisions of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 248.

A SUPPLEMENT

To an act relative to the Philadelphia and Trenton Railroad Company, approved the sixth day of April, Anno Domini one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Philadelphia and Trenton railroad company are hereby authorized and empowered to purchase and hold in fee simple, to them, their successors and assigns, the real estate, being one hundred and thirty-eight feet in width upon the river Delaware, and situated between Walnut and Spruce streets, and between Water street and the river Delaware, for the purpose of obtaining sufficient landings upon the river Delaware for the transaction of their business, and in addition to the quantity which said company have been heretofore authorized to purchase for the same purpose.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 249.

A N A C T

To incorporate the Richmond and Schuylkill Passenger Railway Company,
in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Overn, William Eckfelt, George F. Keyser, Samuel Ogden, Charles S. Wayne, James S. Pringle, George B. Enochs, Townsend Yearsley, Henry Neil, Joseph R. Flanigan, William B. Mann, Thomas Ellis, Byard Robison, James H. Billington, D. D. Jones, George A. Coffee, Stephen P. Hill, Alexander Cummings, Peter C. Ellmaker, Joseph M. Cowell, Edward Gratz, John M. Riley, Edmund Dingee and Joseph Wood, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name and title of the Richmond and Schuylkill Passenger railway company, and as such shall have power to lay out and construct, or cause to be constructed, a railway, in the city of Philadelphia, beginning at or near the eastern end of Franklin avenue, at or near Richmond; thence along said Franklin avenue and Girard avenue, with a double track, until it reaches South College avenue, south of Girard college; thence by single track along said South College avenue, until it shall strike Poplar street; thence along Poplar street to the West College avenue or Twenty-fifth street; thence northwardly along West College avenue to North College avenue; thence eastwardly along North College avenue to Ridge avenue; thence along said Ridge avenue to connect with the double track at Girard avenue; also to connect said single track at Girard avenue and West College avenue or Twenty-fifth street, with a double track, westwardly along Girard avenue to the Girard avenue bridge, at the river Schuylkill. This company shall, at any future time, have the privilege of crossing the river Schuylkill by the Girard avenue bridge, and of extending the said road to Lancaster avenue; and the said Richmond and Schuylkill railway company shall have the right to cross at grade and connect with any other road now built, or that may hereafter be built in the city of Philadelphia; and the said Richmond and Schuylkill railway company shall have the right to purchase real estate and to erect thereon such buildings and improvements as may be deemed expedient and necessary for the purposes of said company.

Commissioners.

Title

Route.

Double track

Single track

Privilege to cross the river Schuylkill and build bridge.

Extension of road

May hold real estate.

SECTION 2. That the capital stock of the said company shall consist of two thousand shares of fifty dollars each, and that the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, of which meeting thirty days' notice shall be given in two or more papers in the city of Philadelphia, increase the capital stock to an amount sufficient to carry out the true intent and meaning of

Capital stock.

May issue bonds. this act; and for the purpose of completing and equipping the said railway, the said company shall have the power to raise on bonds any sum of money not exceeding one hundred thousand dollars, at no greater rate of interest than seven per centum per annum: *Provided*, That no bond shall be issued for a less amount than one hundred dollars, nor for fractions of dollars.

Proviso.

Dividends.

SECTION 3. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared semi-annually, in the months of January and July, in each and every year, and be paid at the office of said company, at any time after ten days from the declaring of the same; but the said dividends shall in no case exceed the amount of the net profits, so that the capital stock shall never be impaired thereby.

Election of officers.

SECTION 4. That said company shall have power to elect seven directors, a majority of whom shall be citizens of the city of Philadelphia; and said directors, at their first meeting after their election, shall elect one of their number as president of the said company, and elect or appoint such other officers as may be deemed necessary or expedient. In every election by the stockholders of this railway company, each share of stock shall entitle the holder to one vote.

Votes.

Seal.

SECTION 5. That the said company shall make and have a common seal, and the same to alter and renew at pleasure; also shall ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, and not contrary to the constitution and laws of the United States, or of this commonwealth.

By-laws.

Subject to.

SECTION 6. That the said company shall be subject to the provisions of all ordinances heretofore, or that may be hereafter passed by the councils of the city of Philadelphia, regulating city passenger railways in said city.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 250.

A N A C T

To incorporate the Philadelphia City Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Boldin, Conrad S. Grove, Harry Connelly, Charles Wis- Commissioners.
 ter, John Ely, B. R. Petrikin, Joseph Singerly, William Juvenal, William D. Kelly, Lewis Scout, Charles Harlan and William Millward, or two-thirds of them, be and they are hereby constituted and appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and Style.
 title of the Philadelphia City Passenger railway company, with power and authority to lay out and construct a city passenger railway, commencing on Front street, at or near Walnut street; Route.
 thence up the said Front street with a single track to Chesnut street; thence up with said Chesnut street with a single track to Twenty-second street; thence down the said Twenty-second street with a single track to Walnut street; thence down the said Walnut street with a single track to Front street aforesaid, in the city of Philadelphia, and to extend the same on the west side of the Schuylkill river, along Chesnut or Walnut streets to Sixty-fifth street, by either single or double track, at such time, or from time to time, as the company may deem it expedient, Subject to
 subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered or supplied by this act; and also to an ordinance of the city councils, entitled "An Ordinance to regulate passenger railways within the city of Philadelphia," approved the seventh day of July, Anno Domini one thousand eight hundred and fifty-seven: *Provided*, That no freight or burden trains or loco- Proviso.
 motives, shall be permitted to pass along the same.

SECTION 2. The capital stock of said company shall consist Capital stock
 of ten thousand shares of fifty dollars each, and the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, of which meeting thirty days' notice shall be given, in two or more papers in the city of Philadelphia, increase the capital stock to an amount not exceeding fifteen thousand shares of fifty dollars each. Increase of by a vote of stockholders, &c.

SECTION 3. That the said company shall have the power to May borrow
 borrow money in any sum not exceeding in amount one-half of its capital stock, at a rate of interest not exceeding seven per cent. per annum, and to secure the re-payment of the same and the interest thereon, to issue bonds, (the principal moneys secured by which shall be made payable at such date as the board of directors of said company may deem advisable,) and which bonds shall be further secured by a mortgage of and on the said money and issue bonds.

railway, and the corporate rights and franchises thereof granted by this act; and such bonds and mortgage may contain a provision that it shall be optional with the holder of any such bond, at any time within five years from the date of the maturity thereof, to convert the same into the capital stock of the said company, at par: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars.

Proviso.

Free bridge over the Schuylkill, relative to.

SECTION 4. That whenever the councils of the city of Philadelphia shall proceed to build a free bridge across the river Schuylkill, at either Chesnut or Walnut streets, the said the Philadelphia City Passenger railroad company, shall pay into the treasury of the said city, one-half the cost of said bridge:

Proviso.

Provided, The sum so paid by said Philadelphia City Passenger railway company, shall not exceed one hundred thousand dollars; said payment to be made in the first mortgage bonds of the said company, secured as aforesaid, towards the cost of

Proviso.

construction of said bridge: *Provided*, That the said railway company shall have the exclusive right and authority to use the said bridge for passenger railway purposes and to lay tracks thereon.

Councils by ordinance to establish regulations.

SECTION 5. That the said councils may, from time to time, by ordinance, establish such regulations in regard to said railway, as may be required for the paving, re-paving, grading, culverting and the laying of gas and water pipes in and along said streets and avenues, and to prevent obstructions thereon.

To conform to grades of streets, &c.

SECTION 6. That the said company, in constructing said road, shall conform to the grades now established or hereafter to be by law established, of the several streets or avenues traversed by said road, and to keep such streets or avenues in perpetual good repair, at the proper expense of said company.

Seal.

SECTION 7. That the said company shall make and have a common seal and the same to alter and amend or renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said company, and not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do, for the well being of said company and due ordering and managing of the affairs thereof; and an act, entitled "An Act to incorporate the Central Passenger railway company," approved twenty-first April, A. D. one thousand eight hundred and fifty-eight, and all other laws or parts of laws heretofore enacted, inconsistent with the rights and powers granted by the several sections of this act, are hereby repealed.

By-laws

Subject to.

Officers.

SECTION 8. That the said company shall have power to elect or appoint a president and six directors, a majority of whom, with the president, shall be citizens of Philadelphia, and such other officers as may be deemed necessary or expedient; and in every election for officers each share of stock shall entitle the holder thereof to one vote.

Votes.

May connect with other railways

SECTION 9. That the said railway company shall have the right to connect with any other passenger railway company, for the purpose of completing a route or making a circuit, upon such terms and conditions as may be agreed upon by such other

company or companies and the said the Philadelphia City Passenger railway company; and in case the said companies cannot agree, then upon such terms and conditions as may be prescribed by the councils of the city of Philadelphia; and the said the Philadelphia City Passenger railway company is hereby authorized to connect their road with that of the West Philadelphia Passenger railway company, by a single track on Twenty-second or Twenty-third streets.

When parties cannot agree councils to fix terms.

SECTION 10. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of July and January in each and every year, and be paid at the office of the company, at any time after the expiration of ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if the said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto, shall be liable in their individual capacities, to said company, for the amount so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter protest upon the minutes of the board, and give public notice of the same; and whenever the dividends shall exceed in amount six per cent. per annum on the capital stock, such excess of dividend over six per cent. thus declared, shall be subject to a tax of six per cent.; which tax shall be paid into the treasury of the city of Philadelphia, for the use of said city.

Dividends.
Tax on dividends to be paid into city treasury.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

I do certify, that the bill, entitled "An Act to incorporate the Philadelphia City Passenger railway company," passed the House of Representatives on the twenty-third day of March, A. D. one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned by the governor with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the twenty-fifth day of March, A. D. one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by the said House.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

ATTEST:—S. J. REA,
Clerk of the House of Representatives.

I do certify, that the bill, entitled "An Act to incorporate the Philadelphia City Passenger railway company," passed the Senate on the twenty-third day of March, A. D. one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned with his objections to the House of Representatives, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the twenty-sixth day of March, A. D. one thousand eight hundred and

fifty-nine, and that the foregoing is the act so agreed to by the Senate.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

ATTEST:—WM. H. MILLER,
Clerk of the Senate.

No. 251.

A N A C T

To extend the Charter of the Forest Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to incorporate the Forest improvement company," approved the twelfth day of June, one thousand eight hundred and thirty-nine, and the supplements thereto, shall be extended, and shall continue in force until the expiration of twenty-five years from the time provided in the said act for the expiration thereof, with all the rights, powers and privileges, and subject to all the conditions and provisions contained in the original act and supplements.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 252.

A SUPPLEMENT

To an act to incorporate the Commonwealth Insurance Company at Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement, be and is hereby amended so as to allow said company to establish their business office in the city of Philadelphia, and also to change their name from Commonwealth insurance company at Harrisburg, to the Citizens' insurance company of Pennsylvania: *Provided,* That the stockholders holding a majority of the stock shall vote so to do at a meeting of stockholders called for the purpose of taking action thereon, and that ten days' notice shall be given of said meeting in one or more newspapers of the borough of Harrisburg.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 253.

A N A C T

To incorporate Grove Cemetery of New Brighton, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. P. Taylor, B. R. Bradford, W. P. Townsend, Edward Hoops, William Ely, J. W. Wilson, H. T. Reeves, R. E. Hoops, Benjamin Wilde, James Duncan, M. Gilleland, B. B. Chamberlin, John Cuthbertson, Thomas B. Wells, Isaac Winans, Edward Warner, B. C. Critchlow, George S. Barker, Charles Lukins, E. J. Henry and John Miner, be and they and their successors are hereby created a body politic and corporate in law, under the

Title.	name and title of the Grove cemetery, and by that name shall have perpetual succession, and be able and capable in law to
Seal.	have and use a common seal, to sue and be sued, implead and be impleaded in all courts of law and equity, and to do all such other things as are incident to a corporation.
Vacancies, how filled.	SECTION 2. That the said corporation shall at least once in every year hereafter fill by election, by ballot, all vacancies which may occur, and may at the same time, or other times, increase and add to their number from those who may be lot-holders in the cemetery, so that the said company shall never be reduced to less than ten nor exceed twenty-five members; and they shall have full power to ordain, establish and put in execution all such
By-laws.	by-laws, rules and regulations, not contrary to the constitution and laws of the United States, or of this state, which may be necessary for the proper government of this corporation, its officers and affairs, and until the election of managers, shall exercise all the powers thereof.
Election of managers.	SECTION 3. That the said corporators shall at least once in every year elect from their number seven managers, one of whom shall be designated as president, one as secretary, and one as treasurer, who shall make a report of their proceedings, and a statement of the finances, at the annual meetings of the corporators, and as much oftener as may be required by a majority of the said corporators.
Officers.	
Powers and privileges.	SECTION 4. That the said corporators or managers shall have power to receive all and singular such gifts, bequests and donations of property as may be made, and to use the same for the benefit of the corporation; to contract for and purchase from the owner or owners thereof a tract of land in Beaver county, not exceeding in the whole sixty acres, and the same to lay out and ornament, and to divide and arrange it into suitable plots and burial lots; remove and alter old and erect new buildings, and to do all other things proper or necessary to be done to adapt the said ground for the purposes of a cemetery, and to sell and dispose of said plots and burial lots, in fee simple or otherwise, for the purposes of sepulture, to individuals, societies or congregations, without distinction or regard to sect, under such conditions, rules and regulations as the said corporators or managers may establish for the government of lot-holders, visitors to the cemetery, and burial of the dead: <i>Provided</i> , That the lots granted by the said association for burial lots, shall not be used for any other purpose, and they shall be free from seizure, levy or sale under or by virtue of any execution against any grantee or grantees of said association for such purpose.
Proviso.	
Further powers.	SECTION 5. That the said corporators, or the said managers, after their election, shall have the power to appoint all other officers, agents and workmen, who may be needful, and fix their compensation or wages, and the same to discharge at pleasure; to take from the treasurer security for the faithful performance of his trust, and to discharge him from his office upon occasion therefor; and that the said managers shall keep fair minutes of all their acts and doings, and fill any vacancies in their board which may occur from resignation or otherwise.
Vacancies, relative to.	SECTION 6. That the said corporation shall be capable of holding so much personal property as may be necessary for the

purposes of this incorporation; and it shall be the duty of the managers to devote all the income, of whatsoever kind, to the purposes of the corporation, and after the sum of four thousand dollars shall have been received from the sale of lots, and expended in the payment for the cemetery grounds and improvement thereof, to set aside at least ten per cent. out of the proceeds of all subsequent sales of lots, to be invested in ground rents, mortgages or stocks of the commonwealth of Pennsylvania, for the creation of a fund, the income of which shall be applied as may be necessary for the perpetual maintenance of the cemetery in proper order and security; and any failure in the duties aforesaid, shall subject said managers or corporators to the control of the competent judicial authority for correction.

Capable of holding certain amount of personal property. Income of corporation, how invested.

SECTION 7. That the original conveyance of lots from the corporation to individuals, may be evidenced either by deed or by a certificate, signed by the president and countersigned by the secretary or treasurer, as by the rules and regulations or by-laws shall be required, and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right, in fee simple, to such lot or lots, and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence as in other cases.

Conveyance of lots, relative to.

SECTION 8. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or gravestone, or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of the said cemetery, or shall wilfully destroy, cut, break or injure any tree, shrub or plant within the limits of said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any court of competent jurisdiction, be punished by a fine of not less than five dollars or more than one hundred dollars, and by imprisonment in the county jail for a term of not less than one nor more than thirty days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass, in the name of the said corporation, to pay all such damages as have been occasioned by his unlawful act or acts, which money, when recovered, shall be applied by the said corporation, under the direction of the managers, to the reparation and restoration of the property destroyed or injured as above, and members of said corporation, or the lot owners, shall not thereby be prevented from testifying in any case at law to which said corporation shall be a party.

Penalty for mutilating property, &c.

SECTION 9. That no street, lane or road shall ever be laid out through the lands so occupied as a cemetery, except under the authority of the corporation.

Streets, lanes or roads, relative to

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 254.

AN ACT

To incorporate the Farmers' Market Company.

Corporators.

Style

Seal

Powers

Proviso

Objects and purposes

Stalls

Proviso

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Eli K. Price, Thomas H. Speakman, of Philadelphia, and Joshua Ashbridge, Edward Price, John Adams, Jacob Hunsecker, Jacob Danenhower, Daniel Carr, of Montgomery county; Joshua P. Eyre, H. Jones Brooke, Sketchley Morton, James J. Lewis, Thomas Pratt, Dr. George Smith, Adam C. Eckfelt, of Delaware county; Phineas Paist, John Acker, John W. Davis, Joseph L. Garrett, John Yerkes, Barodaile Pritchett and Joshua Evans, of Chester county, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Farmers' market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take in fee simple, or upon ground rent, such real or also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction and for the proper use and management and maintenance of a market house, in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage and create the necessary ground rent deeds, or convey the said real or personal estate: *Provided,* That the market house, the erection of which is authorized in this act, shall be completed within three years from the time of the approval thereof, otherwise this act shall be void and the privileges conferred therein forfeited.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all other things necessary for the use thereof, at any place within the limits of the city of Philadelphia, the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever; the said market building, the stalls or any one or more or all of the same, to be leased, rented or disposed of in such manner and upon such terms and conditions as the managers shall determine: *Provided,* That this act shall not be construed to prohibit persons renting stalls in said market, who may send or carry the produce of their farms to market, from selling or exposing for sale, beef, mutton, veal, pork and poultry, in such quantities as they may desire, which may have been slaughtered on their farms, or butter, or cheese, or other articles manufactured or produced thereon for market.

SECTION 3. That the capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, divided into five thousand shares of fifty dollars each, and shall be in such form and be issued and transferred in accordance with such by-laws as the said managers may establish. Capital stock.

SECTION 4. That the government and control of the Farmers' market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by a board of nine managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves; shall supply all vacancies in their number, however occasioned; and shall have general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such. Government and control.
Managers and officers.

SECTION 5. That a general meeting of stockholders shall be held, annually, on the second Monday of January, for the election of nine managers and the transactions of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least one daily newspaper in the city of Philadelphia, and in one weekly paper in each of the counties of Chester, Delaware and Montgomery; and special meetings of the corporation shall be called and held, as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall severally be entitled to one vote for each share of stock held by them. Annual meeting
Notice of meeting.
Votes.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 255.

A N A C T

To incorporate the Zoological Society of Philadelphia.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Charles N. Bancker, James Dundas, John Grigg, William M. Meredith, Charles Macalester, James C. Hand, Frederick Fralley, Thomas Dunlap, Francis Cope, Evans Rogers, George A. M'Call, Joseph Harrison, George W. Biddle, John C. Cresson, Samuel V. Merrick, Edwin M. Lewis, Joseph Pancoast, M. D., Thomas P. Cope, Junior, W. C. Swann, M. D., J. Murray Rush, P. Pemberton Morris, William R. Lejee, Charles E. Smith, Edward S. Whelen, Morton M'Michael, Lloyd P. Smith, John Cassin, William A. Hammond, William Parker Foulke, John L. Le Conte, M. D., William S. Vaux, Samuel Powel, Fairman Rogers, Frederic Graff, William Camac, M. D., J. Dickinson Sergeant, and their associates and successors, shall be and they are hereby constituted and created a body corporate, by the name and title of the Zoological society of Philadelphia. The object of this corporation shall be the purchase and collection of living wild and other animals, for the purpose of public exhibition, at some suitable place in the city of Philadelphia, for the instruction and recreation of the people; and by the above name the said corporation shall have perpetual succession, have a common seal, with power to change the same; shall be able to make contracts, and capable in law and equity, of purchasing, receiving, holding and conveying all estates, real, personal or mixed, for the use and benefit of the said corporation, and that may be required for the above purposes: <i>Provided,</i> That the clear yearly value or income of the said estate shall not at any time exceed the sum of ten thousand dollars.</p>
Style, objects and powers.	
Proviso.	
Members, relative to.	<p>SECTION 2. That the said society shall consist of members resident, corresponding and honorary, who shall be elected upon such terms and under such regulations as the society shall determine; but the right of voting, holding office and transacting business, shall be confined solely to resident members.</p>
Officers.	<p>SECTION 3. The officers of said corporation shall consist of a president, board of managers, and such other officers as the resident members shall deem necessary and proper; and for that and all other purposes the said corporation shall have the power to make and adopt any constitution or by-laws, and to establish and put in execution all such regulations for the government or management of the said society, as shall be deemed expedient and not inconsistent with the constitution and laws of the United States and of the commonwealth of Pennsylvania.</p>
Powers.	
Exhibition of animals in Fairmount park.	<p>SECTION 4. And whereas the said corporation is established for a public advantage, consistent with the objects to which Fairmount park, in the city of Philadelphia, has been dedicated</p>

to public use, it is therefore further enacted, that the said corporation, whenever it shall deem it expedient, may, with the permission of the councils of the said city, occupy such part or parts of said park as shall be necessary for the making, maintaining and exhibiting of such a collection of animals as aforesaid.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 256.

A N A C T

Providing for the Election of an additional Law Judge in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the court of common pleas of Allegheny county shall consist of a president and two associate judges, as now provided by law, and an additional judge, learned in the law, who shall be styled assistant judge of the court of common pleas. Additional law judge in Allegheny county.

SECTION 2. That at the next general election after the passage of this act, the qualified electors of said county shall elect a competent person learned in the law, to serve as said assistant judge, who shall possess the same qualifications which are required by the constitution and existing laws, for president judge of said court, and shall be commissioned by the governor for a like term, and hold his office by the same tenure as the said president judge, and shall have the same power, authority and jurisdiction, shall be subject to the same penalties and receive the same compensation as the president judge of said court is entitled to under existing laws. Election of at next general election.

SECTION 3. That the president judge, or the said assistant judge, shall have full power, from time to time, as may be found requisite and proper, to hold a court of common pleas, and with one associate judge, quarter sessions or orphans' court, although the other judge or judges of said courts may at the same time be holding the usual courts under existing laws. Term of office &c. Powers

Jurors, relative
to.

Proviso.

Jurisdiction of
court.

SECTION 4. That for the summoning of the proper number of jurors, for the trial of such issues as may come before said courts, a separate *venire facias* may be issued at the discretion of either of said judges; the jurors to be drawn in the manner now prescribed by law, and to be paid the same compensation and in the same manner as other jurors in said court: *Provided*, That it shall be the duty of the president judge and the said assistant judge, with one of the other associate judges, to sit jointly on the trial of all cases of homicide, except in case of sickness or inability to attend.

SECTION 5. That the said court of common pleas shall hereafter have full concurrent jurisdiction with the district court of said county, in all cases where the amount in controversy shall not exceed the sum of three hundred dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 257.

A FURTHER SUPPLEMENT

To an act to incorporate the Allegheny Railroad and Coal Company, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four.

Authorized to
borrow money
and issue bonds.

Bonds to be se-
cured by mort-
gage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny railroad and coal company, for the liquidation of its present debt and the prosecution of its business, be and it is hereby authorized to borrow money to an amount not exceeding one hundred thousand dollars, and to issue bonds or certificates of loan for the payment of the said money, in amounts not less than one hundred dollars each, with or without coupons attached, and at a rate of interest not exceeding eight per centum per annum, payable semi-annually; and the directors of the said company, for the time being, may fix the time for the payment and redemption of said bonds or certificates of loan; and it shall further be lawful for the directors of the said company, to secure the payment of the said bonds or certificates of loan, by a mortgage or mortgages, executed in the corporate name of the said company and under its corporate seal, to trustees, to be

named therein, on its lands, mines, railroad or railroads, franchises, and all the property, real and personal, of said company, and the revenues, rents, issues and profits thereof, as they may deem best; and if so stipulated, the said company may continue in the possession and management of the mortgaged property, as well personal as real, without prejudice to the security of the mortgage or mortgages thereon.

SECTION 2. That the remedies upon such bonds or certificates of loan, mortgage or mortgages, as are authorized by this act, shall be the same as are now provided and used in the case of such instruments executed by natural persons; and if in pursuance of any of the said remedies, a sale shall be made of the lands, mines, railroad or railroads, franchises and other property, real and personal, of said company, and the revenues, rents, issues and profits thereof, or any of them, or any portion or portions thereof, mortgaged as aforesaid, the purchaser or purchasers thereof, his or their heirs or assigns, shall take and hold the same right or interest therein, as was held by and vested in the said company at the execution of the said mortgage or mortgages, with all the powers, franchises, rights and privileges, and under the same restrictions as the said company held the same: *Provided*, That the declaratory act, passed the twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six, respecting the interest on bonds or certificates of loan, issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, Anno Domini one thousand eight hundred and forty-two, referred to therein, shall extend and be applied to the bonds or certificates to be issued under the present act: *And provided further*, That before any bonds or certificates of loan shall be issued under the provisions of this act, this act shall be approved and accepted by a majority in interest of the stockholders, either in person or by proxy, at a meeting to be called by the president of the said company, to consider the same; of which meeting twenty days' notice shall be given by advertisement in two daily newspapers published in the city of Philadelphia, and in one newspaper published in the borough of Hollidaysburg.

Remedies upon
bonds, mort-
gages, &c

Provide

Provide.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 258.

A N A C T

Relating to the Election of Borough Officers in the borough of Bellefonte.

Town council,
election and
number of.Terms of to be
decided by lot.Time of holding
borough elec-
tions

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the borough of Bellefonte shall be authorized, at their next election, to elect nine persons to be a town council, three of whom shall serve for one year, three for two years, and three for three years; and that the several terms of said members shall be decided at their first meeting, by lot, under the supervision of the burgess, and five members shall constitute a quorum for the transaction of business; and annually thereafter three persons to be members of said council, who shall continue in office three years.

SECTION 2. That the election for borough officers, in the aforesaid borough, shall be held, annually, on the first Monday in May, in the arbitration room, or some one of the rooms in the Centre county court house.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 259.

A N A C T

To amend the Charter of the Chesnut Hill Iron Ore Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all provisions of the act incorporating the Chesnut Hill iron ore company, and the supplements thereto, which authorize the said company to use, in the construction of its works, any stock it is authorized to create, or any moneys it is authorized to raise, shall be construed to authorize the use of the same in the pur-

chase of any works already constructed, adapted to business which the said company may lawfully transact, not exceeding their capital stock as now authorized by the terms of their charter, of which this a supplement thereto.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 260.

A N A C T

For the relief of Joseph Brady, a soldier of the Indian War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay Joseph Brady, of Indiana county, a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars, during his life, payable half yearly, and dating from the first day of January, Anno Domini one thousand eight hundred and fifty-nine.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 261.

A SUPPLEMENT

To an act incorporating the Mutual Saving and Loan Association of Philadelphia.

Females may
hold stock, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That females may hold stock, in their own right, in the Mutual saving and loan association of Philadelphia, and that all stock subscribed for after the passage of this act, shall be disposed of in such manner as bank stocks are disposed of, or may be cancelled or disposed of to the association, under and subject to such regulations as the board of directors may from time to time enact.

Votes, &c.
Proviso.

SECTION 2. That each male stockholder shall be entitled to one vote for each share of stock held by them: *Provided*, That fifty dollars, the par value of each share, has been fully paid on the same.

Not to issue bank
notes, and rela-
tive to invest-
ments.

SECTION 3. That said corporation shall not issue any note or paper in the similitude of a bank note, nor invest its capital stock, assets, or other moneys, in the purchase or discount of any promissory note, bill of exchange, or other negotiable paper, except such as are taken from their members on account of loans; and that no loan upon stocks or other securities shall exceed two-thirds of the market value of said collateral.

Repeal

SECTION 4. That so much of the charter of said corporation as is inconsistent with this act, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 262.

AN ACT

Authorizing Peter Martin, and others, Trustees, to sell a certain School House in Clay township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Peter Martin, Martin Weidman and Elias Stover, trustees of a certain school house property, in Clay township, in Lancaster county, be authorized to sell said school house and lot of ground, adjoining lands of Reuben Mohler and others, with the appurtenances thereto belonging, and by deed convey the same to the purchaser thereof, in fee simple, and apply the proceeds of sale thereof in improving the lot on which said new school house was erected to supply said old school house thus to be sold, and to purchase maps and globes, as may be to the interest and for the benefit of the school in said new school house.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 263.

AN ACT

Regulating election of Borough Officers in Burlington, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the general and borough elections for the borough of Burlington, in the county of Bradford, shall be held at the house of L. T. Royse, in said borough; and that at the borough elections the polls shall be opened at one o'clock in the afternoon, and be closed at seven o'clock of the same day; and that the compensation of the judge, inspec-

tors and clerks of said borough elections, shall be one dollar each per diem.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 264.

AN ACT

To authorize Lewis R. Geer to erect a Ferry over the Allegheny river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Lewis R. Geer, of the township of Glade, in the county of Warren, his heirs and assigns, shall have the exclusive right and privilege, for the period of ten years from the passage of this act, at his own expense, to erect and keep a ferry across the Allegheny river, for the distance of three-fourths of a mile from the head of Big Bend island, opposite the farm of said Geer, in Glade township, and to use such as a public ferry, and shall receive such tolls for carrying persons, teams, carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Warren county: Provided, That the navigation of said river shall not be obstructed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 265.

SUPPLEMENT

To an act to incorporate the Westminster Collegiate Institute, approved April twenty-seventh, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said seminary shall be under the management and government of a number of trustees, not exceeding twenty-four, eight of whom shall constitute a quorum for the transaction of business. Management and government.

SECTION 2. That the trustees of said institute shall consist of the following named persons, until others are appointed, as hereinafter provided, to wit: Joseph H. Pressley, James W. Logue, R. Audley Browne, Robert M'Wattey, David W. French, William P. Breaden, Daniel H. A. M'Lean, Hugh H. Thompson, James Rodgers, James Prestley, John S. Easton, Joseph Scroggs, J. M. Warner, Hutchinson Bovard, James M'Candless, Thomas M'Cance, Joseph Kissick, William Dickey, Andrew J. Burgess, E. Eells, Richard Floyd, John Sheriff, A. Henry, Matthew T. Kennedy. Trustees.

SECTION 3. That the trustees of said institute shall have power to fill vacancies in the board, caused by death, resignation, refusal to serve, or inability to act, until such vacancies shall be filled in the manner hereinafter indicated. Powers of trustees.

SECTION 4. That the board of trustees for said institute shall be appointed by the First United Presbyterian Synod of the West, in subordination to the General Assembly of the United Presbyterian church of North America, who shall arrange themselves as follows: Six for one year, six for two years, six for three years, and six for four years; and that said synod shall fill all vacancies in said board, having occurred since its last regular meeting. Trustees, how appointed.
Arrangement of trustees.
Vacancies.

SECTION 5. That said board of trustees shall have power to establish, in connection with the collegiate department, the several departments of law, medicine and theology, and to confer all the degrees, titles and diplomas common to the same, as well as to the collegiate department. Power to establish a law, medical and theological department.

SECTION 6. That no misnomer of said corporation, nor any change in this supplementary act to the same, shall defeat or annul any gift or grant, demise or bequest, to or from said corporation, or affect any contract or bargain heretofore made with the same. Misnomer.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 266.

A FURTHER SUPPLEMENT

To the act consolidating the city of Philadelphia.

Assessors, number of and when elected.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* on the first Tuesday in May, Anno Domini one thousand eight hundred and fifty-nine, and in every third year thereafter, the qualified voters of each ward of the city of Philadelphia, shall elect the same number of assessors in the same manner as they are now by law required to elect, who shall do and perform all the duties and receive the same compensation as is now provided by existing laws.

Vacancy, how filled.

SECTION 2. That in the case of the removal of any assessor, by death, resignation or otherwise, the vacancy thus occurring shall be filled by the city commissioners, by appointment, until the ensuing municipal election, at which time the qualified electors of the ward where such vacancy occurred, shall elect a person to fill said unexpired term.

Repeal.

SECTION 3. That all laws or parts of laws of this commonwealth, inconsistent with the provisions of this act, are hereby repealed, so far as relates to the city of Philadelphia.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 267.

AN ACT

To empower the Methodist Episcopal Church of East Liberty, to sell and convey real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Methodist Episcopal church of East Liberty, is hereby au-

thorized and empowered to sell and convey to whomsoever may purchase the same, a certain lot or piece of ground, situate in the village of East Liberty, county of Allegheny, and state of Pennsylvania, which was conveyed to and for the said Methodist Episcopal church, by John Roup and wife, by deed, dated April twenty-fourth, one thousand eight hundred and thirty-three, and recorded in deed book, vol. fifty-three, page ninety-four: *And it is hereby provided*, That a deed, executed by the president and secretary of the Emory Methodist Episcopal church of East Liberty, and attested by the seal of said corporation, shall convey an estate, in fee simple, to the purchaser of said lot of ground.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 268.

A SUPPLEMENT

To an act to incorporate the Citizens' Passenger Railway Company, approved the twenty-fifth day of March, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Citizens' Passenger railway company be and the same is hereby authorized to extend their railway by laying a single track, with sufficient turnouts or sidelings, along Poplar street, from Tenth street to Nineteenth street, and shall have the right to connect the tracks already laid, by a single track along Columbia avenue, from Tenth to Eleventh street, conforming to the established grades of said streets.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 269.

A SUPPLEMENT

To an act incorporating the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it may and shall be lawful for the president and managers of the Philadelphia and Reading railroad company, to connect the Lebanon Valley branch of their railroad with any railroad passing through, or terminating in the city of Reading or the borough of Harrisburg, and to enter in and upon, and occupy such lands as may be necessary for the same, and for depot purposes, in the city of Philadelphia, on the terms and conditions provided in the fourth section of the act passed the first day of April, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act authorizing the governor to incorporate the Lebanon Valley railroad company."*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 270.

AN ACT

To incorporate the Ridge Avenue and Manayunk Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
Commissioners. John Lambert, Joseph Ripka, Charles T. Jones, James F. Nicholas, Charles E. Graeff, Jacob Esher, Nathan L. Jones, Daniel Arbuckle, John F. Preston, John Bouker, Doctor William M. Uhler, Robert F. Taylor, Henry Croskey, Joseph A. Clay, John S. Nicholas, Robert Hutchinson, John Anspach, Junior, Samuel Gorgas, H. R. Coggshall, William O. Kline, William P. Hacker, Joseph Evans, John Welsh, John Billington and Frederick Steaver, or a majority of them, are hereby appointed commis-

sioners to open books, receive subscriptions and organize a company under the provisions of the general railroad law of one thousand eight hundred and forty-nine, and the supplements thereto, by the name, style and title of the Ridge Avenue and Manayunk Passenger railroad company, and as such shall have power to lay out and construct a railway in the city of Philadelphia, from or near Girard college, by the Ridge Avenue and Manayunk turnpikes or Shur's lane, to Manayunk and Roxborough, with the right to construct a double or single track on said turnpike road, and shall have power to convey passengers over the same; and the said company shall have the right to purchase real estate and to erect thereon such buildings and improvements as may be deemed expedient and necessary for the purposes of said company, and also to purchase the necessary equipments for said railway; and no freight or burden trains or locomotives shall be permitted to pass over the same: *Provided*, That the said company, before commencing to build the said road, shall purchase of the said Ridge turnpike company and Manayunk turnpike company, the right of way over their respective turnpike roads, at a price to be assessed and determined as follows: The said turnpike companies shall together choose one disinterested person as referee, and the said railway company an other disinterested person as referee, who shall fix upon the said price for such respective rights of way; and the two thus chosen, in case of difference of opinion, shall choose a third person as umpire, and the price so fixed by the said two referees, or by a majority of the said referees and umpire, in case of difference of opinion as aforesaid, shall be final, conclusive and binding upon the said turnpike companies and the said railway company; and the said turnpike companies are hereby authorized, directed and empowered to appoint such referee under resolutions of meetings of the respective stockholders, to be convened for such purpose: *And provided further*, That the said companies respectively are hereby authorized and empowered to such right of way to the said railway company, in fee, before the payment of the said prices respectively; which conveyance and payment of price may be enforced by any court of the city and county of Philadelphia, having the power of a court of equity, upon a bill to be filed for that purpose.

Subject to.

Style.

Route.

May hold real estate, &c.

Proviso.

To purchase right of way of certain turnpike companies.

Damages, how assessed.

Proviso.

SECTION 2. That the capital stock of said company shall consist of five thousand shares of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting convened for that purpose, increase the capital stock as much as in their opinion may be necessary to complete said railway or railways, and to carry out the true intent and meaning of this act: *Provided*, That the whole number of shares shall not exceed ten thousand.

Capital stock.

Proviso.

Proviso.

SECTION 3. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July in each year, and be paid at the office of said company, any time after ten days from the time of declaring the same; but said dividends shall at no time exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividend impairing the capital

Dividends.

stock of said company, the directors consenting thereto shall be liable in their individual capacities, to said company, for the amount so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter protest upon the minutes of the board and give public notice of the same.

Seal, by laws, &c.

SECTION 4. That the said company shall make and have a common seal, and the same to alter and renew at pleasure, and also to ordain and put in execution such by-laws, ordinances and regulations, as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of said corporation and the due ordering and managing of the affairs thereof.

Officers.

SECTION 5. That the said company shall have power to elect or appoint a president and five directors, a majority of whom, with the president, shall be citizens of Philadelphia, and such other officers as may be deemed necessary or expedient; and in every election for officers each share of stock shall entitle the holder to one vote.

May issue bonds.

SECTION 6. That the said company shall have power to raise on bonds any sum not exceeding one-half of their capital stock, for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.

Proviso.

Not to connect with any other than passenger railways.

SECTION 7. That said railway company shall not connect with any railroad other than for passenger purposes, and of the same gauge, under a penalty of the forfeiture of their charter; and the said company shall annually pay into the treasury of the city of Philadelphia, for the use of said city, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum on the said dividends thus declared: *And provided further*, That the city councils may, from time to time, by ordinance, establish such regulations in relation to said railway, as may be required for the paving and the laying of gas and water pipes in and along said streets, and to prevent obstructions thereon.

Proviso

To conform to grades of streets.

SECTION 8. That said company, in constructing said road, shall conform to the grades now established, or hereafter to be by law established, of the several streets and avenues traversed by said road, and keep said roads and avenues in perpetual good repair, at the proper expense of said company; and shall moreover be subject to all ordinances of the city councils heretofore or hereafter to be passed, regulating city passenger railways.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 271.

A N A C T

To empower John Ranson to put a Sheer Boom in the Loyalsock creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Ranson, of Montoursville, Lycoming county, be and he is hereby authorized to erect and maintain at or near the mouth of the Loyalsock creek, a stream declared by law a public highway, opposite to his own premises, a sheer boom or booms, to be so constructed as to admit at all times a free, safe and easy passage for rafts or other craft floating upon the said stream: *Provided*, That all laws now in force relating to the manner of declaring dams unsafe for navigation public nuisances, and providing remedies for injuries to personal property thereby sustained, be and the same are hereby extended to the said sheer boom or booms: *Provided also*, That the said John Ranson shall have the right to charge and collect the same tolls upon all loose logs that shall come into said boom or booms that the Susquehanna boom company is authorized to charge by their act of incorporation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 272.

A N A C T

For the payment of certain moneys by the School Directors of Williams township, Northampton county.

WHEREAS, Richard Deemer taught a public school in the township of Williams, county of Northampton, for the period of four months, during the winter of one thousand eight hundred and fifty-six and seven, which said Richard Deemer was not employed

to teach said school in accordance with the requirements of the common school law ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the school directors of the said township of Williams to pay the said Richard Deemer, out of the school funds of the said township, the sum of ninety-eight dollars, it being in full for teaching said school as aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 273.

A SUPPLEMENT

To the act incorporating the Perrysville, East Waterford and Waterloo Plank Road Company, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the time of the commencement of the construction of said plank road, is hereby extended three years, and the time for the completion of said plank road, is hereby extended ten years from the passage of this act.

Time for completion extended.

Capital stock.
Proviso.

SECTION 2. That the capital stock of said company shall consist of six hundred shares of ten dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and carry out the true intent and meaning of this act.

Toll gates.

SECTION 3. That said company shall have authority to erect toll-gates after three miles of said plank road are completed.

May borrow money, &c.

SECTION 4. That said company shall have authority to borrow such sums of money as may be necessary to carry out the purposes of this act, and issue bonds therefor, bearing not more than seven per cent. interest: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars.

Power to construct turnpike road.

SECTION 5. That said company shall have the power to construct a turnpike road on so much of their route as the president,

directors and stockholders shall deem proper for the interest of the company.

SECTION 6. That it shall be lawful for said company to construct the bed of said plank or turnpike road of a width of not less than ten feet. Width of road.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 274.

A N A C T

To lay out a Public Road from Shoemaker's Mill to the borough of Muncy, in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any set of road viewers on view or reviews appointed by the court of quarter sessions of Lycoming county, to lay out a public road through the south end of the Muncy cemetery, in the said county of Lycoming, from east to west, or to lay out said road partly on lands of said Muncy cemetery as aforesaid and partly on lands of others: *Provided,* That such road shall not exceed thirty-three feet in width, and shall not interfere with any burial lots in said cemetery already used and enjoyed for burial purposes; and such road, when confirmed by said court, shall upon the order of said court be opened as other public roads of this commonwealth, and the same shall thereafter be held, deemed and used as a lawful public road or highway, any thing in any law or laws of this commonwealth to the contrary thereof notwithstanding.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 275.

A N A C T

Relative to the assessment of Taxes in the township of Thornbury.

SECTION 1. *Be it enacted by the Senate and Touse of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of April twentieth, Anno Domini one thousand eight hundred and fifty-four, relative to the township of Middletown, in the county of Delaware, entitled "An Act relative to the assessment of taxes in the county of Delaware," shall be and the same is hereby extended to the township of Thornbury, in said county.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 276.

A N A C T

Authorizing the Commissioners of Adams county to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Adams county be and they are hereby authorized and empowered to sell at public sale and convey in fee simple, the lot or lots of ground belonging to said county of Adams, on which the county offices now stand, situate on the north-east corner of the Diamond and York street, in the borough of Gettysburg, together with the buildings erected thereon, and the materials of the old court house, situate in the said Diamond, for such prices and on such terms and conditions as the said commissioners may deem most advantageous for the people of the said county, and execute good and sufficient deed or*

deeds for the same, and that the purchase money be paid into the treasury of the county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No 277.

AN ACT

To revive and extend the act incorporating the Zieglerville and Kutztown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* an act authorizing the governor to incorporate the Zieglerville and Kutztown turnpike road company, approved the sixteenth day of March, one thousand eight hundred and forty-seven, be and the same is hereby revived and extended for the term of ten years from the approval of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 278.

A SUPPLEMENT

To the Willow Street Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Authorized to
extend road.

the Willow Street turnpike road company, in Lancaster county, is hereby authorized to extend their road from the present southern terminus, or from Miley's Corner, on said road, to the Green Tree tavern, in Strasburg township, Lancaster county, or so much of the distance thereof as said company may desire to make.

May increase
capital stock.

SECTION 2. That the said company are authorized to increase their capital stock for the construction of said extension: *Provided*, That the whole amount of said increase shall not exceed the sum of sixteen thousand dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 279.

AN ACT

To grade, curb and pave Main Street, in the town of Myerstown, Lebanon county.

Commissioners to
grade, curb,
pave, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Urich, Daniel Mossler, Joseph Coover, Daniel Seltzer and John P. Kreitzer, be and they are hereby appointed commissioners, who, or a majority of them, are authorized and directed to grade, or cause to be graded in a proper manner, the Main street, in Myerstown, from the run crossing said street, (Berks and Dauphin turnpike,) immediately west of Loose's tannery; eastward to a point on the east side of George Price's lot, at the east end of said town, and to curb, pave and regulate the same with gutters, sewers and culverts, sufficient to drain off the water from said street; the grade of the street, width of pavement, and gutters, and all other matters connected therewith, to be regulated by a majority of said commissioners.

Commissioners to
take oath.

SECTION 2. That the commissioners appointed by this act, before entering upon their duty hereby assigned them, shall be sworn or affirmed before some judge or justices of the peace, to perform their duty as aforesaid, with impartiality and fidelity, and according to the best of their skill and judgment, who shall perform the duties assigned them without compensation.

SECTION 3. That said commissioners shall keep an exact account of all their costs and expenditures in making the said work, and shall assess the amount of the cost of the said work on the property located on and adjoining said street, (not to exceed two hundred feet in depth,) according to the valuation of the property as the same shall then be assessed for state and county purposes; which said amount so assessed shall be collected of the property holders, in the same way as county rates and levies are now collected; and the said amount so assessed shall be a lien on the several properties, until paid, upon having a transcript of the said assessment, certified by a majority of said commissioners, entered in the court of common pleas of Lebanon county, in the same manner as mechanics' liens are now entered, within six months after the whole of said work shall have been completed.

Commissioners to keep an account of expenditures.

Cost, how assessed and collected.

Amount assessed to be lien.

SECTION 4. That after the work aforesaid shall have been finished, it shall be the duty of each property holder to keep the pavements and gutters in front of their respective property, in good repair and free and unobstructed, except so far as may be necessary in the erection of buildings or otherwise: *Provided*, That in grading said street, a passage shall be kept open for public use; and the said turnpike, when properly graded, shall be left in as good a condition as the same now is: *And provided further*, That when the proper grade has been fixed by the commissioners, they shall give notice thereof to the property holders, whose duty it shall then be to set their curb stone according to grade, and to lay their pavements (with brick or limestone) so far as their respective properties extend, under the directions of said commissioners; but if they neglect or refuse to do so for the term of six months, then the said commissioners shall have the same done and charge the cost thereof to the parties delinquent, in the same way as above stated.

Pavements and gutters to be kept clean.

Proviso.

Proviso.

Curbing, relative to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 280.

AN ACT

For the better regulation of the Mercer County, Shenango Valley, Montour County and Allegheny County Agricultural Societies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons, to erect, place or have any booth, stall, tent, carriage, or any other place whatever, for the purpose or use of shows, circuses or exhibitions, or of selling, giving or otherwise disposing of any kind of articles of traffic, spirituous liquors, wine, porter, beer, cider, or any other fermented, mixed or strong drink, within one mile of the fair grounds of the Mercer County, Shenango Valley, Montour County and Allegheny County agricultural societies, during the days on which the annual fairs of said societies are held, unless by permission of the officers of said societies: *Provided*, That the provisions of this act shall be applicable only for a distance of one-half mile from the fair ground, so far as the act relates to Allegheny county.

Places for shows, exhibitions, or for selling liquor prohibited.

Proviso.

Penalty for violating this act.

SECTION 2. That if any person or persons shall or do violate this act, by erecting, fixing or having any booth, stall, tent, carriage or other place, for the purpose or use aforesaid, or by selling, bartering, giving or otherwise disposing of any kind of articles of traffic, spirituous liquors, wine, porter, beer, cider or other fermented, mixed or strong drink, in, at, or about any such booth, stall, tent, carriage, or any other place whatever, within one mile of the fair grounds of the said agricultural societies, on the days aforesaid, unless by the permission of the officers as aforesaid, all the said articles of traffic, spirituous liquors, wine, porter, beer, cider and other fermented, mixed and strong drink, and all the vessels, chests and other things containing the same, together with such booth, stall, tent, carriage or other place prepared and used for the purpose aforesaid, and all the fixtures, apparatus, materials and utensils used in and about such booth, stall, tent, carriage or other place whatever, for the purpose or use of shows, circuses or exhibitions, shall be and are hereby declared to be forfeited; and it shall be lawful for any justice of the peace and constable, with two freeholders of the county, to seize and take possession of all or any part of the said forfeited articles, and at any time within ten days after, to advertise and sell the same; and after deducting and paying the necessary and lawful expenses of such seizure and sale, the residue of the proceeds of such sale or sales shall be paid to the treasurers of said agricultural societies, for the use and benefit of said agricultural societies.

License tavern keepers, relative to.

SECTION 3. That nothing in this act shall be taken or construed so as to affect any licensed tavern keeper, in his or her ordinary and lawful business, at his or her usual place of resi-

dence, specified in his or her license; nor shall it be so taken and construed so as to affect any merchant, shopkeeper, farmer, mechanic or other person, in the usual and lawful transaction of his, her or their ordinary concerns and business, in their usual place of doing such business, or who shall have a permit in writing, from the officers of the said agricultural societies, to erect any booth, stall, tent or other place for the purpose or use of shows, circuses or exhibitions, or to sell any of the articles aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 281.

AN ACT

To incorporate the Douglassville and Yellow House Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Guldin, Simeon Guldin, Elias Kitchen, M. D., Samuel Filbert, Jonas Rhoads, Col. Jeremiah Weaver, George Witner, Jacob Spang, Marks Darrah, William Lorah, William Romig, Solomon Rhoads, Peter Weaver, Ezekiel Rhoads, Peter K. Ludwig, Jeremiah Van Reed, Anthon Eidenbentzel, M. D., Isaac Guldin, Wm. Yocom, Jacob Harbold, George Custer, John Yocom, John Kohler, Philip Marquart, Samuel Weitizle, Joseph Bailey, Solomon L. Custer, Henry Arms, John Wentsle, T. W. Ludwig and William Gerling, all of Berks county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Douglassville and Yellow House turnpike road company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That the said turnpike road shall intersect the Reading and Perkiomen turnpike, at the village of Douglassville, from thence to be upon the bed of the Oley road, via New Storeville, to the

Yellow House, to intersect with the Swamp road, all in Berks county.

Capital. SECTION 2. That the capital stock of the said company shall consist of five hundred shares of twenty dollars per share: *Provided*, That the said company may, from time to time, at a meeting of the stockholders, called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete said road according to the true intent and meaning of said act: *And provided*, That each stockholder shall have one vote; but no stockholder shall have more than one vote for every five shares he or she may hold.

Commencement and completion. SECTION 3. That if the said company shall not commence the construction of said road within three years, and complete the same within six years, this act shall be null and void, except so far as may be necessary to settle the affairs of the company.

Toll gates SECTION 4. That the said company shall have power to erect and set up a gate or gates, and to levy and collect tolls from persons using said road, at the rates prescribed in the act regulating turnpike road companies, already referred to, so soon as they shall have completed two miles of said road.

Location. SECTION 5. That the said company is hereby authorized to locate its turnpike road on the public highway, wherever it may be found necessary or convenient by the said company so to do.

Vacancies in board of managers SECTION 6. That it shall be lawful for the board of managers of said company to fill vacancies occurring in said board, by death or resignation, until the next succeeding annual election.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 282.

A SUPPLEMENT

To the act whereby the Dock Coal Company was incorporated, under the act of Assembly of seventh of April, one thousand eight hundred and forty-nine, entitled "An Act to encourage manufacturing operations in this Commonwealth," and the several supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the rights, privileges and franchises of the Dock coal company, a corporation duly incorporated under the act of assembly of the seventh of April, one thousand eight hundred and forty-nine, entitled "An Act to encourage manufacturing operations in this commonwealth," and the several supplements thereto, by certificate, bearing date the sixteenth day of February, Anno Domini one thousand eight hundred and fifty-five, recorded in the office for recording deeds in and for Luzerne county, in manufacturing, mining, et cetera, book, number one, page twelve, and a certificate copy thereof filed in the office of the secretary of the commonwealth, at Harrisburg, the ninth of April, one thousand eight hundred and fifty-five, shall not in any way be impaired, prejudiced or affected by any neglect or omission to elect directors of the said company, on the day designated by the laws thereof, which has occurred or may hereafter occur; but it shall be lawful on any other day to hold an election for directors, in such manner as is provided by the said laws of the said company, on notice of any stockholders, published for two weeks in one newspaper in Philadelphia; and that the said rights and privileges and franchises of the said company shall not be affected, prejudiced or impaired by any such future omission; and all acts of the directors in office at the time of such omission to elect, shall be valid and binding upon the company until their successors are elected.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 283.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved the fifth day of May, A. D., one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Donaldson improvement and railroad company to dispose of any part of their authorized issue of

LAWS OF PENNSYLVANIA,

seven per cent. coupon bonds, at such rate as the board of directors of said company may order.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 284.

A N A C T

To incorporate the Industrial Home for Girls.

Managers	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Andrew Cheeseman, William Harris, James T. Shinn, Samuel Dickson, Edmund C. Pechin and David W. Dennison, all of the city and county of Philadelphia, and their associates, at present managers of the institution heretofore known as the Industrial Home for the instruction of girls in the arts of housewifery and sewing, and their successors, shall be and they are hereby declared to be a body politic and corporate, by the name and style of the Industrial Home for girls, and by the same name, they shall have perpetual succession, with power to have a common seal, and the same to change at pleasure, to sue and be sued, to plead and be impleaded, to take, hold and dispose of all real and personal estate whatsoever; to purchase or erect such building or buildings as may be necessary for the purposes of said institution, and to do all and singular the things necessary, proper and lawful to be done for the well being of the said institution, and the due management and well ordering of the affairs thereof: <i>Provided nevertheless,</i> That the clear yearly income of the real and personal estate held by the said corporation within this commonwealth, shall not exceed the sum of six thousand dollars.</p>
Style	
Powers	
Proviso	
Object and design.	<p>SECTION 2. That the object and design of this institution shall be to afford a home, clothing, schooling and instruction in the arts of housewifery and sewing, for poor orphan girls, or such girls as may be neglected or deserted by their parents; the said children having in all cases attained the age of twelve years before admission.</p>
Meetings of trustees.	<p>SECTION 3. That the said trustees shall hold their first meeting on the second Tuesday in May next, in the city of Phila-</p>

delphia, at such time and hour as they, or a majority of them, shall designate; and they, or their successors, shall meet annually in January in each succeeding year, at such time and place as by their by-laws shall appoint, and they shall have power at the meetings so to be holden, in connection with the life-members of this institution, to elect trustees in the place of those who may be removed by death, resign, cease to act, or otherwise relinquish the said trust.

SECTION 4. That the said trustees and their successors shall have power to make all by-laws necessary or proper for the government of their own proceedings, and for the management of the said institution: *Provided*, That the same be not inconsistent with the constitution and laws of this commonwealth; also, to appoint a president, treasurer, secretary, and such other officers as the convenient management of the affairs of the said corporation may require.

By-laws

Proviso.

SECTION 5. That the said trustees and their successors shall have power also to meet from time to time, whenever and so often as the interests of the said institution may require, in such manner and according to such regulations as they may by their by-laws direct; and they shall have power at any meeting convened as aforesaid, to appoint such teachers, managers, visitors and caretakers as may be necessary or proper for the instruction, control and care of the children received into the said institution, and to attain in the best manner the objects of the same, and to do all such other business as the proper management of the funds and general interests and concerns of said corporation may require.

Teachers, managers, visitors and caretakers, relative to.

SECTION 6. That the said trustees shall have power to receive and to retain under their control, all such poor girls over the age of twelve years as may be brought to the said institution, for the purpose of being received into the same, by the father of such children, if he be living, or if he be dead, by the mother of said children; also such orphan girls, and all such other girls as may be neglected or deserted by their parents, or their surviving parent, which shall be brought to them for the purpose aforesaid, subject, nevertheless, in these last mentioned cases, to the approval of a judge of a court of record for the city and county of Philadelphia aforesaid, or any other president judge of the courts of this commonwealth; and the said girls, when so received, to detain, maintain, educate and control, until proper persons can be found who may be willing to receive them as apprentices to some useful art, trade, calling or employment; and thereupon the said trustees, or a committee of their board appointed for that purpose, shall have power, with the assent of any alderman or judge of a court of record of the said city or county as aforesaid, to bind by indenture, either in or out of the commonwealth aforesaid, the said girls, or any of them, as apprentices as aforesaid, until the age of eighteen years, stipulating and agreeing, nevertheless, on behalf of the child, in every such indenture, that the master or mistress shall provide meat, medicine, clothing, lodging, instruction, and all other things necessary, usual or proper for the comfort and support of the children to be bound, for the well being and advancement in

Power of trustees to receive inmates, &c.

life; which indentures so made, shall be of full force and effect for all and singular the purposes therein specified as aforesaid.

Misnomer.

SECTION 7. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That it shall sufficiently appear by the will, gift, grant or other writing, that the party making the same, intended to give or pass thereby to the said corporation, the interest or estate therein expressed or described.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 285.

A FURTHER SUPPLEMENT

To an act to incorporate the Mercer and New Castle Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to incorporate the Mercer and New Castle railroad company," approved the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-two, and the several supplements thereto, be and the same are hereby revived and renewed; and the time for the completion of said road is hereby extended until the twentieth day of April, Anno Domini one thousand eight hundred and sixty-five.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 286.

A N A C T

To prevent fishing with nets, seines and set-nets, in the East Conococheague Creek, below the borough of Chambersburg, on the lands owned by Bernard Wolff and William Heyser, known as the Hollywell Paper Mill property.

WHEREAS, Bernard Wolff and William Heyser own a mes- Preamble.
suage and tract of land, situate in the townships of Guilford and Hamilton, in the county of Franklin, south of the borough of Chambersburg, through which the East Conococheague creek flows, on which is built a dam to collect water for the Hollywell paper mill, erected on said property, and on which there is a large head-race to convey the water from said dam to said paper mill. At said paper mill white paper out of rags is manufactured:

And whereas, Fishing in said dam and head-race, with nets, seines and set-nets, makes the water in said dam and head-race so muddy and impure that at the said paper mill it is not suited or adapted for the manufacture of white paper; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Fishing prohibi-
from and after the first day of April next, fishing with nets, set-nets and seines, in the dam and head-race of the Hollywell paper mill, in the townships of Guilford and Hamilton, in the county of Franklin, is prohibited. ted after certain date.

SECTION 2. That if any person is convicted of fishing in the Penalty.
dam or head-race of Hollywell paper mill hereinbefore mentioned and described, with nets, set-nets or seine or seines, before any justice of the peace of said county of Franklin, he shall be fined in the sum of ten dollars for every such offence, to be recovered as debts of an equal amount are recoverable, by any person or persons who may sue for the same, one-half thereof to be paid to the informer, and the other half to the commissioners of said county of Franklin, to be by them applied to keeping such persons as are imprisoned for offending against this act: *Provided*, That any person or persons so offend- Proviso.
ing, on conviction thereof aforesaid, who are unable or unwilling to pay said fine of ten dollars and the costs, then such person or persons are to undergo an imprisonment in the county jail for twenty days: *And provided further*, That such prosecu- Proviso.
tion shall be commenced within thirty days after such offence shall be committed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 287.

A N A C T

To change the place of holding elections in Piney township, in the county of Clarion.

WHEREAS, The owner of the premises at whose house the elections have heretofore been held, wishing to be relieved from the further annoyance of public meetings at his house, in consequence of long and continued sickness in his family :

And whereas, To hold an election for the removal, as required by the act of assembly, would be a repetition of the trouble and inconvenience wished to be relieved from ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the qualified electors of Piney township, in the county of Clarion, shall hold their township, special and general elections at the school house on Jacob Marts's farm, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 288.

A S U P P L E M E N T

To the act incorporating the Patterson, Johnston, Penn Mills and Concord Plank Road Company, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Bell, James M. Sellers, J. Serloff, J. Stumbaugh, R. E. Parker, J. Middagh, J. B. M. Todd, J. M. Belford, E. D. Crawford, George Reynolds, William Wright, John H. Shoemaker, I. K. Patterson, Joseph Pomroy, Samuel Okeson, William

Littlefield and D. Stouffer, be and are hereby appointed additional corporators of said company.

SECTION 2. That the time for the commencement of the construction of said plank road is hereby extended for the period of three years, and the time for the completion of said plank road is hereby extended for the period of ten years from the passage of this act. Time extended

SECTION 3. That said company shall have power and authority to erect toll-gates after three miles of the said plank road are completed. Toll gates.

SECTION 4. That the capital stock of said plank road company shall consist of six hundred shares of ten dollars each: *Provided*, That the said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road, and carry out the true intent and meaning of this act. Capital stock

SECTION 5. That said company shall have authority to borrow such sums of money as may be necessary to carry out the purposes of this act, and issue bonds therefor, bearing not more than seven per centum interest: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars. May borrow money.

SECTION 6. That said company shall have the power to construct a turnpike road on so much of their route as the president, directors and stockholders shall deem proper for the interests of the company. Route, relative to

SECTION 7. That it shall be lawful for said company to construct the bed of said plank or turnpike road, of a width of not less than ten feet.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 289.

A N A C T

Relating to public roads in Snyder and Juniata counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the law as requires viewers appointed to view and

lay out public roads, or make any change in the location of public roads, as requires them to assess damages where they have failed to procure releases from the persons through whose land such location may be made, be and the same is hereby repealed, so far as relates to the counties of Snyder and Juniata; and any person or persons claiming damages, shall have the same assessed in the manner provided by the seventh section of the act of thirteenth June, one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges," except that the viewers shall be three instead of six, and shall be required to give the county commissioners at least ten days' notice of the time and place of meeting to assess damages, reserving the right to either party to appeal to the court of quarter sessions for final decision, to be determined on agreement, or at the request of either party; the judge of said court shall certify the same to the prothonotary of the common pleas, there to be tried as issues from the orphans' court are now.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 290.

AN ACT

To authorize the Germantown Passenger Railway Company, and the Green and Coates Streets Philadelphia Passenger Railway Company, jointly, to lay a single track on Fourth and Eighth streets, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Power to extend
road.

Route.

the Germantown Passenger railway company be and are hereby authorized and empowered, subject to the rights hereinafter conferred on the Green and Coates Streets Philadelphia Passenger railway company, to lay down and construct, and use a railway from the point where Fourth street intersects the Germantown and Perkiomen turnpike, in the city of Philadelphia, and running thence southwardly along said Fourth street, in said city, to Dickinson street; thence westwardly along said Dickinson street to its intersection with Eighth street; and thence northwardly on said Eighth street to its intersection with the said Germantown and Perkiomen turnpike, with the right and power

to make and lay a track on Walnut street, between their said tracks on Fourth and Eighth streets, so as to connect the said tracks on Fourth and Eighth streets by the said track on Walnut street; and it is hereby further enacted, that all that part of the said railway track in Fourth street, from the centre of Coates street; thence southwardly along Fourth street to Dickinson street; thence up Dickinson street to Eighth street; thence northwardly along Eighth street to the centre of Coates street, and also the track on Walnut street between Fourth and Eighth streets, connecting the track on Fourth and Eighth streets, as hereinbefore authorized to be built, shall be constructed, laid down, and used by the said Germantown Passenger railway company and the Green and Coates Street Philadelphia Passenger railway company, at their joint and equal expense, and shall be the joint property of the said two companies, each owning one-half thereof; and that part of the said track to be laid on Walnut street, as aforesaid, shall be subject to be used by any other passenger railway company that may be authorized to lay and use a track on Walnut street, on payment by said company to the said Germantown Passenger railway company and the said Green and Coates Street Philadelphia Passenger railway company, of one-half of the cost of construction of the said railway on Walnut street, and of the repairs thereof, and of the expense of keeping that portion of said street in repair; and the Germantown Passenger railway company are hereby authorized and empowered, at such times and in such portions as in their discretion they shall see proper, to lay down and construct a branch railway track or tracks along Broad street, northward from its intersection with the Germantown and Perkiomen turnpike, to the intersection of said Broad street with the old York road; thence along said old York road to Miletown, or Brantown, with the right to extend the same to the point where the North Pennsylvania railroad crosses said road; and the said Germantown Passenger railway company, and the Green and Coates Street Philadelphia Passenger railway company, shall also have the right and privilege of running their cars over, or connecting their said road hereby authorized with, or crossing any other passenger railway in the city of Philadelphia, on such terms as may be mutually agreed upon; and, in case the said companies cannot agree as to such terms, then the district court of the city of Philadelphia shall, upon petition presented by either party, appoint two disinterested persons, who shall fix the amount to be paid by the parties using the same, and whose decision in the premises, when confirmed by said court, shall be final and conclusive: *Provided*, That the persons so appointed shall be duly sworn or affirmed before entering upon the discharge of their duties, and shall file their report in the prothonotary's office of said court within thirty days after their appointment as aforesaid: *Provided further*, That until said Eighth street shall have been opened and graded, the said Germantown Passenger railway company shall have power and authority to construct and lay a single track on and along such streets as may be necessary to connect the track as laid upon Fourth and Eighth streets and make the same a continuous track, in order to carry out the full intent and meaning

To be built and used jointly by both companies.

To be used by other passenger railways.

Branch railway Route.

May connect with other passenger railways

Court to appoint persons to fix terms.

Proviso.

Proviso.

Proviso.

of this act: *And provided further*, That if the Germantown Passenger railway company shall be able to agree with the Germantown and Perkiomen turnpike company for the right of way for their said railway over said turnpike, within thirty days after the passage of this act, then the said passenger railway company shall, within one year after such agreement, lay a railway track or tracks and run their cars thereon, as provided in the original act incorporating said company, from the intersection of said turnpike with Eighth street, and northwardly as far as Washington lane, in said city; but if the said passenger railway company shall fail, within the said time, to agree with the said turnpike company for the right of way, then the said passenger railway company and the said turnpike company shall each, within a reasonable time thereafter, choose one person, and the two persons so chosen shall select a third person, all of whom shall be disinterested; or if the two first chosen fail to agree upon a third person within seven days after they are chosen, then the district court of the city of Philadelphia shall select such third person; and the three persons so chosen, or a majority of them, shall proceed to fix and determine, by a yearly rental or otherwise, as they shall see proper, the fair value of the said right of way; and the valuation so fixed shall be filed of record in the said court, and shall be confirmed by the said court. And within ten months after the said proceedings shall be finally settled and confirmed, the said passenger railway company shall lay a railway track or tracks to said Washington lane, and run their cars thereon, as before provided in this section; but nothing in this proviso shall prevent the Germantown Passenger railway company from taking immediate possession of, and ascertaining and settling damages for, the right of way on that portion of the Germantown and Perkiomen turnpike which lies between Fourth and Eighth streets in said city, according to the provisions of the act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine: *And provided further*, That if any part of the Germantown and Perkiomen turnpike road comes into the possession of the city of Philadelphia, it shall be the duty of the Germantown Passenger railway company to keep said portion of the road in repair for such length as it may be occupied by them with their railway.

Proviso

Increase of capital stock, &c., of Germantown company.

SECTION 2. That it shall be lawful for the said Germantown Passenger railway company to increase their capital stock to ten thousand shares, of fifty dollars each, and to borrow any sum of money by them required, not exceeding in amount one-half of their capital stock as hereby increased, at a rate of interest not exceeding seven per centum per annum, and to issue bonds therefor, in the sum of not less than one hundred dollars each, and to secure the payment thereof by a mortgage or mortgages upon the whole or any part of their railway, including their interest in the said road to be constructed upon Fourth and Eighth streets and Dickinson and Walnut streets, and the appurtenances thereof, and upon their corporate rights, franchises and privileges, or any part thereof.

To be secured by mortgage.

Meetings and elections.

SECTION 3. That all general meetings or elections by the stockholders of the Germantown Passenger railway company.

shall be conducted, and the vote shall be given according to the provisions of the fifth section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 4. That whenever it may be inexpedient to follow the bed of the said Germantown and Perkiomen turnpike, in the construction and laying of said railway, it shall be lawful for said company to diverge therefrom and use and occupy any street or land that may be necessary for the said route: *Provided* however, That the said Germantown Passenger railway company shall pay damages for any land so used and occupied; which damages shall be ascertained and settled in the manner directed by the above mentioned act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

Relative to route

Proviso.

SECTION 5. That if the said Germantown Passenger railway company shall, within thirty days after the passage of this act, file in the office of the city solicitor, a written obligation under their common seal, covenanting to comply with all the ordinances of the select and common councils of the city of Philadelphia, regulating passenger railways, the same shall be deemed and taken to be a full compliance with the ordinance of said councils authorizing the construction of said railway, approved one thousand eight hundred and fifty-eight; and the said company shall be thereupon entitled forthwith to commence the construction of said roads; and the said company shall be subject to such rates of taxation as are now, or may hereafter be imposed on other passenger railways in the city of Philadelphia.

Written obligation to be filed agreeing to comply with city ordinances.

Taxation.

SECTION 6. That it shall be lawful for the said Green and Coates Streets Philadelphia Passenger railway company to increase their capital stock eight thousand shares, of fifty dollars each, and to borrow any additional sum of money by them required, not exceeding one hundred and fifty thousand dollars, at a rate of interest not exceeding seven per centum per annum, and to issue bonds therefor, in the sum of not less than one hundred dollars each, and to secure the payment thereof by a mortgage or mortgages upon the whole or any part of their railway upon Green and Coates streets, and the appurtenances thereof, and upon their interest in the said road so to be constructed upon Fourth and Eighth streets and Dickinson and Walnut streets, and upon their corporate rights, franchises and privileges, or any part thereof.

Increase of capital stock, &c., by Green and Coates Street company

To be secured by mortgage.

SECTION 7. That nothing in this act contained shall be construed to give the Germantown Passenger railway company the right to run their cars upon the railways on Green and Coates streets, or to give the Green and Coates Streets Philadelphia Passenger railway company the right to run their cars upon that part of Fourth or Eighth streets north of Coates street; nor shall any other passenger railway company have such right, unless by contract.

Relative to running cars upon the respective roads.

SECTION 8. That the said Green and Coates Street Philadelphia Passenger railway company may use their road to Fourth street, or to any point eastward thereof, at their discretion; and may remove their tracks eastwardly of said Fourth street, without prejudice to their right to relay the same, and to continue the

Relative to use by Green and Coates road to Fourth street &c.

Application of
fifth section of
this act.

said road, according to the route prescribed by their charter, at any time hereafter; and the fifth section of this act shall apply to the said company, in respect of the said railway hereby authorized to be built by them as aforesaid; and all the rights, powers and privileges granted by this act may be exercised by the said companies respectively, at their discretion, in whole or in part, and from time to time, as they may deem advisable.

Dissenting stock-
holders relative
to

SECTION 9. That if any one or more of the stockholders of either of the said two railway companies shall or may dissent from the exercise of any of the powers by this act granted, then it may be lawful for such dissenting stockholder to apply, by petition, to the district court of the city of Philadelphia, to have his stock valued and appraised by three disinterested persons, to be appointed by said court; and it shall be lawful for either of the said companies to purchase such stock, and to pay therefor such sum as may be found due to such dissenting stockholder.

Either company
authorized to sell
to the other.

SECTION 10. That it shall be lawful for either of them, the said Germantown Passenger railway company, or the said Green and Coates Street Philadelphia Passenger railway company, whenever a majority of the holders of the stock of either company shall, at a meeting called for that purpose, so authorize, grant, sell and convey to the other of said companies all their right and interest to and in the said railway so hereby authorized to be jointly built, with its appurtenances, and to and in all the rights, privileges and franchises thereof; and when so granted and conveyed, the same shall be held and enjoyed by the purchasing company, as though the same had been by due authority made, constructed, and enjoyed by them alone.

Repeal.

SECTION 11. That all laws, or parts of laws, inconsistent herewith, be and the same are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 291.

AN ACT

To make decrees for the payment of money in equity proceedings, liens upon real estate, with the right to revive or continue the liens of the same by writ of *scire facias*.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That decrees in equity, for the payment of money, shall be and constitute a lien on the real estate of the defendants or debtors named in the said decree, in the manner, for the like period, and with the same force and effect as the lien of judgments rendered by and in the common law courts of this commonwealth, and shall be entered in like manner in the judgment or lien docket of the proper county; and the complainant or plaintiff in such decree shall have the like remedy, by writ of *scire facias*, or otherwise, for the revival and continuance of the said lien, as is prescribed by existing laws for the continuance of the lien of such judgments; and the proceedings under such writ of *scire facias*, or other process, and the entry of a decree of revival, may be regulated, so far as is necessary, by rules ordained by the proper court.

Decrees in equity
to be lien upon
real estate.

SECTION 2. Should any issue of fact arise in the course of such proceeding of revival, the same shall be proceeded in, and determined by an issue directed in the manner now practiced in courts of equity.

Relative to issues
of fact.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 292.

SUPPLEMENT

To an act to incorporate the Blockley and Merion Turnpike and Plank Road Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the Blockley and Merion turnpike and plank road company shall be and they are hereby authorized to lay out and construct a railway, of the same gauge as the present passenger railways in the city of Philadelphia, over the route of their road, or any part thereof, subject to all the limitations and restrictions of the general railroad laws of this commonwealth, and to the ordinances of the councils of Philadelphia, relative to passenger railways.

SECTION 2. That the said Blockley and Merion turnpike and plank road company shall be and they are hereby authorized to sell and dispose of, or relinquish, any part of their present road.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 293.

A SUPPLEMENT

To an act in reference to running of Locomotive Engines and Cars on Connecting Railroads, approved thirteenth March, one thousand eight hundred forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act passed the thirteenth day of March, Anno Domini one thousand eight hundred and forty-seven, entitled "An Act in reference to running of locomotive engines and cars on connecting railroads," shall be so construed as to authorize companies owning any connecting railroads in the state of Pennsylvania, to enter into any leases and contracts with each other in respect to the use, management and working of their several railroads: Provided, That the company so contracting for, or leasing any such railroad, may have the right to fix the tolls thereon, but not at a higher rate than is authorized by the charter of either of the said railroad companies.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 294.

A SUPPLEMENT

To an act to incorporate the Lewisburg Building Association, having for its object the accumulation of a fund, which shall be loaned to its members to enable them to buy or build their own homes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the gains, losses and expenses of the said Lewisburg building association shall be divided among the several series of stock in the manner following, to wit: A separate capital account shall be kept with each company or series of stock, under the caption of company number one, company number two, company number three, et cetera; all profits, losses and expenses shall be divided quarterly among the several companies, and the net gain be credited to the several capital accounts; the profits and losses of the reserve fund shall be divided among the several companies, in proportion to their respective amounts of capital; all other gains and losses shall be divided among the several companies, in proportion to the number of shares held by each company at that time; each company shall be credited with interest on nine-tenths of its capital, at a rate of six per cent. per annum, every three months, before the net gain is distributed; the value of each series of stock shall be reported by the secretary, in the months of January, April, July and October, and recorded on the minutes.

Gains, losses and expenses, relative to.

SECTION 2. That members wishing to do so may pay in their stock at a more rapid rate than one dollar per month, and shall be entitled to legal interest on all excess thus paid in; but such shares shall not mature until the excess thus paid in, with the interest thereon added to the sum the owner of the stock may be entitled to receive on withdrawing, shall amount to the full sum of two hundred dollars: *Provided,* That the directors shall have power to restrain the payment of the stock at a more rapid rate than one dollar per month, whenever, in their opinion, the general good of the association shall require it.

Relative to payment of stock.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 295.

AN ACT

To authorize the Chesnut Hill Railroad Company to sell and dispose of certain real estate.

WHEREAS, The Chesnut Hill railroad company, under the provisions of the second section of the act, approved the tenth day of April, one thousand eight hundred and forty-eight, entitled "An Act to incorporate the Chesnut Hill railroad company," purchased sundry lots of ground for the making and construction of the said railroad, and for furnishing material therefor, and for other purposes therein set forth :

And whereas, After the construction and completion of the said railroad, there was left remaining certain detached parts or parcels of the lots of ground so purchased as aforesaid, which was not required for the purposes of the said company ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Chesnut Hill railroad company be and they are hereby authorized and empowered to sell and dispose of all or any part or parcels of the real estate, situate in the city of Philadelphia, purchased by them for the uses and purposes in said recited act specified and declared, which may not have been required or considered necessary, or which they do not now require or consider necessary for the making and construction of the said railroad, or for furnishing materials therefor, or for any other of the purposes for which the same was so purchased under the provisions of the said act, and to sign, seal and deliver to the purchaser or purchasers thereof, a good and sufficient deed or deeds of conveyance of the same, in fee simple.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 296.

A N A C T

For the appointment of a Sequestrator on the Washington and Pittsburg Turnpike Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the judges of the courts of Washington county, or a majority of them, shall, on application by petition of twenty citizens interested, appoint a sequestrator, whose duty it shall be to take charge immediately of that part of the Washington and Pittsburg turnpike road lying in Washington county; and the duties of the present sequestrator shall be confined exclusively to that part of the road lying in Allegheny county; the sequestrator thus appointed shall perform his duties and settle his accounts as is required by existing laws, and be allowed such compensation as the said court deem proper and right.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 297.

A N A C T

Relative to Foreign Insurance Companies in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on and after the passage of this act, it shall be lawful for any insurance company incorporated by any other state of the United States, possessing a bona fide capital of at least five hundred thousand dollars, securely invested and unimpaired, and belonging to the board of lake underwriters, or engaged in the insu-*

rance of vessels, and other property upon the lakes, to establish an agency and transact the business of insurance in the city and county of Erie, on paying to the state treasurer, for the use of this commonwealth, the annual sum of one hundred dollars as a license fee, as now required by the act of the ninth of April, one thousand eight hundred and fifty-six, relating to agencies of foreign insurance companies, which said payment shall be in lieu of all other taxes and license fees otherwise imposed by the laws of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 298.

AN ACT

Relating to the collection of State and County Taxes in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter it shall be the duty of the commissioners of the county of Bucks, in each and every year, immediately after the assessment of taxes for state and county purposes shall be completed in the manner prescribed by law, to cause their clerk to make fair duplicates thereof, in a convenient form, and deliver the same to the treasurer of said county, together with a certificate under their hands respectively, and attested by their clerk, certifying that the taxes charged in said duplicates have been duly assessed according to law.

Duty of commis-
sioners.

Duty of county
treasurer.

SECTION 2. That it shall be the duty of the county treasurer, after he shall receive the duplicates of assessment from the county commissioners, as hereinbefore provided, to give at least thirty days' notice by weekly publication, in four or more newspapers, two English and two German, printed in the county, and by at least six printed handbills, to be put up in the most public places in each borough and township, of the time and place where the said treasurer will attend for the purpose of receiving state and county taxes as aforesaid, previous to the twenty-eighth day of July, in each and every year, and he shall

attend one day in each township and borough containing less than four hundred taxables, and two days in each township and borough more than that number for that purpose; and he shall give receipts for taxes in all cases when required by the person paying the same: *Provided*, That if any person shall on or before the twenty-eighth day of July aforesaid, pay to such treasurer the amount of his or her taxes, such person shall be entitled to a deduction of five per centum on the amount thereof paid for state purposes, which shall be in lieu of the abatement of five per centum allowed the county by the forty-second section of the act to reduce the state debt, et cetera, passed the twenty-ninth day of April, one thousand eight hundred and forty-four.

Proviso.

SECTION 3. That in case any state or county tax assessed in any township, ward, or borough within said county, shall remain unpaid for a period of sixty days from and after the twenty-eighth day of July aforesaid, it shall be the duty of the treasurer to issue his warrant under his hand, accompanied by a schedule of all such unpaid taxes, and the names of the persons respectively to whom the same are charged in the proper duplicate, directed to the constable of the proper township, ward or borough, whose duty it is hereby made to receive the same, authorizing and requiring him to demand and receive from the persons named in the schedule, the sums with which they are therein charged respectively; and the said warrant shall further authorize and require such constable, in case any person named in the schedule thereto annexed, shall fail to pay the amount with which such person is therein charged, within ten days after demand made therefor by such constable, to levy the same by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale by written or printed advertisements; and in such case the constable shall be entitled to retain out of the proceeds of such sale, after first deducting the taxes, the same fees as are now allowed by law to constables for a levy and sale upon a writ of execution.

Treasurer, duty relative to unpaid taxes.

Constable's duty

SECTION 4. That upon the delivery by the county treasurer of his warrant to any constable, according to the provisions of this act, he shall charge such constable with the whole amount of taxes contained in the schedule thereto annexed, in a book to be provided for the purpose, from which liability such constable, and his sureties under the provisions of this act, shall only be discharged by payment of said amount, after deducting such exonerations as may be allowed to such constables, and certified to the said treasurer by the county commissioners, for mistakes, indigent persons, unseated lands, and other cases wherein exonerations are now by law allowed to collectors of taxes.

Treasurer's warrant to constable, relative to.

SECTION 5. That it shall be the duty of the court of quarter sessions of the said county of Bucks, before they shall appoint constables, to require from them a bond, in the name of the commonwealth, in such sum, and with such sureties, as shall be approved by the said court, conditioned for the faithful discharge of the duties imposed upon said constables by this act, and for the payment, to the proper county treasurer, of the full amount of taxes contained in any warrant and schedule which shall be delivered to them, or any of them, by the treasurer of said county, after deducting exonerations, within four months from

Court of quarter sessions to require bond of constables.

and after the date of the delivery of any such warrant as aforesaid.

Duty of constables in settling accounts, paying over moneys, &c.

SECTION 6. That it shall be the duty of the constables who shall receive warrants from the county treasurer under the provisions of this act, to settle their accounts, obtain their exonerations, and pay over to the treasurer of said county all moneys collected by them, in pursuance of said warrants, within four months from and after the day of the delivery of such warrants to them respectively; which day shall be endorsed on each warrant by the treasurer issuing the same, and shall also be entered in a book to be by him kept for that purpose; which book, verified by the oath or affirmation of such treasurer, or in case of his death, absence out of the state, or other inability to appear and testify, by the oath or affirmation of any credible person proving the hand writing of such treasurer, shall be competent evidence to establish the fact of the delivery of any warrant or warrants, to any constable or constables as aforesaid, in any court of law in this commonwealth.

Failure of constables to make proper settlements, relative to.

SECTION 7. That in case any constable shall fail to make the settlement and payment required in the preceding section of this act, within the time aforesaid, it shall be the duty of the treasurer of said county to cause an action of debt, in the name of the commonwealth, to be brought upon the bond of such constable; and if, upon the trial of any such suit, it shall appear that such constable has not complied with the provisions of this act, judgment shall be rendered against the defendants therein, for the amount for which such constable is delinquent, together with interest at the rate of twelve per centum, from and after the expiration of the aforesaid period of four months, and full costs of suit; and in all such cases there shall be no stay of execution, or other stay, any law to the contrary notwithstanding; but it shall be the duty of the said treasurer to prosecute such judgment to execution and satisfaction without delay.

Commissioners to appoint collector upon failure of constable to give security, &c.

SECTION 8. That in all cases where the constable of any township, ward or borough shall fail to qualify and give security, as provided by law, on or before the third Monday of September in each year, the county commissioners are hereby authorized to appoint a collector in his stead, who shall, on giving security, and becoming qualified as required of constables, proceed with like power and authority to perform the duties of constables.

Penalty upon failure to perform duties by treasurer, collector or constable.

SECTION 9. That if any treasurer, constable or collector, shall fail or refuse to perform any of the duties required of them respectively by this act, he or they shall, for every such offence, forfeit and pay a fine of fifty dollars, which shall be recoverable in the name of the commonwealth, at the instance of any person who will sue therefor, in the same manner as debts of like amount are now by law recoverable, with costs of suit, and one moiety thereof shall be paid to the treasurer of the commonwealth, and the residue to the person suing for and recovering the same.

Per centage of treasurer.

SECTION 10. That in lieu of the per centage now received by the treasurer of said county, on state tax by him paid into the state treasury, he shall hereafter be entitled to deduct and retain out of the gross amount of moneys collected and received by him for the use of the commonwealth, under the provisions

of this act, six per centum on the amount accounted for and paid over by him to the state treasurer, four per centum of which shall be paid by him to the credit of the said county.

SECTION 11. That it shall be the duty of the commissioners of said county to deliver the duplicates of assessment on or before the first day of May in each year. Time of delivery of assessments.

SECTION 12. That so much of any law as requires the commissioners of said county to appoint collectors of taxes, and so much of any law as is hereby altered or supplied, is hereby repealed, so far as the same relates to the county of Bucks. Repeal.

SECTION 13. That all and every person paying the amount of his or her county tax to the county treasurer, before the warrant and schedule mentioned in the third section of this act are placed in the hands of the constable or collector, shall be entitled to a deduction of five per centum on the amount thereof. Deduction for prompt payment of tax.

SECTION 14. That the constables and collectors receiving taxes under the provisions of this act, without resorting to levy and sale of goods, shall be entitled to deduct from the amount so received, previous to the first day of December of each year, the sum of five per centum on the amount thereof; and on all taxes received after said date, they shall be entitled to demand and receive from the persons paying the same, the sum of five per centum on said taxes, as their compensation for such collection. Constables and collectors to be allowed deduction on certain taxes.

SECTION 15. That the assessors of the different boroughs and townships in said county, in making the extra assessment provided for by law, shall certify the name of the person applying to be assessed, with the amount of tax imposed, both for state and county purposes, to the constable or collector discharging their duties under the provisions of the act of assembly of the twenty-fifth of February, one thousand eight hundred and fifty-three; and the said constables, or collectors, shall receive and receipt for all such taxes; which receipt shall be as valid as receipts given by collectors, in like cases, under existing acts of assembly. Assessors, duty of relative to assessments.

SECTION 16. That it shall be the duty of the county treasurer of said county to keep his office, in the borough of Doylestown, open for the receipt of taxes in each year, from the date at which the duplicates are placed in his hands by the county commissioners, until the warrants and schedules are delivered to the constables or collectors, under the provisions of the third section of this act. Office of county treasurer to be kept open for the receipt of taxes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 299.

A N A C T

Extending the limits of the borough of Orwigsburg, in the county of Schuylkill.

Borough limits
extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the lines of the borough of Orwigsburg, in the county of Schuylkill, be and hereby are extended so as to embrace within the limits of the said borough, all that portion of West Brunswick township, in said county, beginning at a chesnut, at present one of the south-east corners of said borough; thence along a line between lands of Joseph Deibert and Samuel Kimmel north seven and one-half degrees east fifty-three and one-half rods to a white oak; thence along lands of Samuel Kimmel north fifteen degrees west twenty-five and one-half rods to a stone; thence along land of the said Samuel Kimmel north fifty-five degrees east sixteen and one-half rods to a stone; thence along land of Daniel Hummel north twenty degrees west twenty-nine and one-half rods to a stone; thence along land of the said Daniel Hummel north fifty-three degrees west one hundred and seventy-two rods to a stone; thence by the same north ten degrees west sixty-three rods to a stone; thence along land of late Frederick Lauderbrun, dec'd, and Joseph Miller, west sixty-eight rods to a stone, at present one of the north-east corners of said borough.

Limits further
extended.

SECTION 2. That the lines of the said borough of Orwigsburg be and they are hereby farther extended, so as also to embrace within the limits of said borough all that part of North Manheim and West Brunswick townships, in said county, beginning at a stone, a corner of Joseph Hay and William Moyer; thence by land of said William Moyer south five degrees east twenty-four and six-tenths rods to a stone; thence by land of George Moyer south two degrees east twenty-five and two-tenths rods to a white oak; thence by the same south eighty-three degrees west forty-one and five-tenths rods to a white oak; thence by the same south three and three-fourths degrees east sixty-eight rods to a stone; thence by the same and by land of Henry Gerhart north seventy-one degrees west one hundred and forty-eight rods to a white oak stump; thence by land of said Henry Gerhart and land of Daniel Alspach south eighty-one degrees west sixty-nine and four-tenths rods to a stone; thence by land of said Daniel Alspach north twenty-three degrees east ten rods to a stone; thence by land of said Daniel Alspach, Daniel K. Moyer and Samuel Achey, south eighty-nine and three-fourths degrees west one hundred and forty-four and six-tenths rods to a stone; thence by land of said Samuel Achey south two degrees east thirty rods to a stone; thence by the same south eighty-eight degrees west forty-eight rods to a stone; thence by land of

George Moyer north eight degrees east one hundred and thirty-three and seven-tenths rods to a stone; thence by the same north eighty-one and one-fourth degrees west fourteen rods to a stone; thence by the same south forty-three and one-fourth degrees west forty and eight-tenths rods to a stone; thence by land of Edward Kearns and land of Benjamin Pott north twelve and one-fourth degrees west two hundred and twenty-one rods to a stone; thence by land of said Benjamin Pott south seventy-three and one-fourth degrees west sixteen and one-fourth rods to a stone; thence by land of Abraham Hollebush north eleven and one-half degrees west sixty and seven-tenths rods to a chesnut oak; thence by the same south seventy-three and one-fourth degrees west eight and eight-tenths rods to a stone; thence by land late of John Willtrout north eighteen and three-fourths degrees west fifteen and one-fourth rods to a stone; thence by the same north four degrees west forty-two rods to a stone; thence by the same north sixty-two and one-half degrees east thirty-two rods to a pine stump; thence by the same north seventy-four and three-fourths degrees east sixty-seven and eight-tenths rods to a stone; thence by land of Jacob Allebach south thirty-eight and one-fourth degrees east ninety-three and three-tenths rods to a stone, at present one of the corners of said borough.

SECTION 3. That the said territory shall, after the passage of Taxation this act, be subject to taxation in the borough of Orwigsburg only, and be attached to the Orwigsburg school and election district. School and election district.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 300.

A FURTHER SUPPLEMENT

To the act to incorporate the Philadelphia and Trenton Railroad Company, approved the twenty-third day of February, Anno Domini one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Philadelphia and Trenton railroad company be and they are*

Authorized to
extend road.

hereby authorized to extend their railroad from their depot at Front and Harrison streets, in the city of Philadelphia, to the corner of Third and Willow streets. And the said company are hereby authorized and empowered to locate and lay a single track railroad, with the most approved rails, from their said depot at Front and Harrison streets, up Elm street to Howard street, down Howard street to School street, down School street to Cites street, down Cites street to Otter street, across Otter street to Hope street, through Hope street and private property to the North Pennsylvania railroad, across North Pennsylvania railroad to New Market street; or from Cites street to New Market, through private property, and thence along New Market street to Willow street, and on Willow street to the corner of Third and Willow streets: *Provided*, That said company shall be subject to the provisions of an act of assembly regulating railroad companies, in the assessment of damages for the use of private property: *Provided further*, That no steam power be used in the transit of passengers or freight over said road from Front and Harrison to Third and Willow streets.

Proviso.

Proviso.

May hold real es-
tate.

SECTION 2. That the said Philadelphia and Trenton railroad company are hereby authorized to purchase and hold in fee simple to them, their successors and assigns, such real estate at the corner of Third and Willow streets, as shall be necessary for a depot and for the convenient transaction of their business, or at such other point at which they may terminate their said railroad.

Repeal.

SECTION 3. That the act, entitled "A supplement to the act, entitled 'An Act to incorporate the Philadelphia and Trenton railroad company,' approved the twenty-third day of February, Anno Domini one thousand eight hundred and thirty-two," which supplement was approved the second day of May, one thousand eight hundred and fifty-five, be and the same is hereby repealed.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 301.

A N A C T

To incorporate the Quicksilver Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Alfred Fidler, William L. Mactier, J. C. B. Davis, James Eldridge, John Tucker, and their associates, be and they are hereby created a body politic, by the name, style and title of the Quick-silver mining company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real, personal and mixed, and of holding and improving lands in California, and to obtain therefrom any and all minerals and other valuable substances, whether by working or mining, leasing, or disposing of privileges to work or mine such land, or any part thereof, and to erect houses and such other buildings and works as may properly appertain to said business; and to use, let, lease, or work the same, and to dispose of the products of all such lands, mines and works as they may deem proper.

Corporators.

Style.

Powers and privileges.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue certificates of stock representing the value of their property, in such form, and subject to such regulations as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

By-laws.

Proviso.

SECTION 3. That the corporators named in this act, shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Directors.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place it shall be lawful to hold all meetings for transaction of the business of the company.

May establish offices where business is located.

SECTION 5. That the provisions of this act shall continue in force for twenty years and no longer.

Limitation.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 302.

A N A C T

To define the limits of the borough of Lock Haven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the limits and boundary of the borough of Lock Haven, in the county of Clinton, shall be as follows: Commencing on the south side of the Susquehanna river, on the division line of lands between William Fearon, Junior, and Nathaniel Hanna; thence along said line to the intersection of an easterly continuation of Jerry's alley; thence westwardly to said alley; thence along said alley to the canal; thence up the said canal to the division line of lands of Blanchard, Craig and company, and Hugh Devling; thence along said line to the line of lands of Jones and company; thence along the eastern and southern lines of said lands of Jones and company to the public road leading to Bald Eagle creek; thence along said road to the western line of lot number thirty, on the said road; thence along the western line of said lot, and continuing in the same direction, to the north side of the public road leading to Flemington; thence along said road to Highland alley; thence along said alley, and continuing in the same direction, to Lusk's run; thence down said run to the river; and thence down said river to the place of beginning.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 303.

A S U P P L E M E N T

To the act consolidating the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the receiver of taxes for the city of Philadelphia be and he is hereby authorized and directed to refund all state and city taxes that may have been paid to and collected by him on duplicate and erroneous assessments, to the person or persons who may have so erroneously paid the same; all amounts to be refunded out of the taxes collected in the respective wards, and in the respective years in which said errors occurred: *Provided however*, That proper vouchers of allowance of such errors by the city commissioners of said city shall be first furnished to the said receiver of taxes: *And provided further*, That the lien of the taxes on the real estate wrongfully paid shall not have been discharged by a judicial sale, or otherwise.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 304.

A SUPPLEMENT

To the act to incorporate the Hanover Savings Fund Society, of the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the charter of the Hanover savings fund society, of the county of York, be and the same is hereby extended for the period of fifteen years from the expiration of the present charter, subject to all the provisions and restrictions contained in the original act of incorporation, and the supplements thereto, and to all the provisions and restrictions contained in the several acts, and their supplements, providing for the regulation of saving fund societies in this commonwealth.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 305.

AN ACT

For the better securing the compensation of labor in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all wages and moneys that may be due for labor and services from any person or persons, or chartered company, engaged in the mining of coal within the county of Luzerne, either as owners of the soil or having a lease of a coal mine or mines, or as contractor under said owners or leaseholders, to any miner, laborer, mechanic or clerk employed in and about such coal business, whether at so much per ton, per diem, or otherwise, for any period not exceeding six months immediately preceding the sale and transfer of such coal mine, or lease, or other property connected therewith in carrying on said business, by execution or otherwise, or preceding the death or insolvency of such employer or employers, shall be a lien upon said colliery or collieries, and other property in and about the same, and used in carrying on the said business of mining, or in connection therewith, to the extent of the interest of said owner or leaseholder, as the case may be, in said property, and shall be preferred and first paid out of the proceeds of the sale of such colliery or collieries, and other property, as aforesaid: *Provided*, That the claim of each miner, mechanic, laborer and clerk thus preferred shall not exceed one hundred dollars: *And provided further*, That this act shall not be construed so as to impair contracts existing or liens of record vested prior to its passage.

All wages and money due for labor and services to be a lien, &c.

Proviso.

Proviso.

Notice of claim to be given before sale of property.

SECTION 2. In all cases of executions, landlords' warrants, attachments, and writs of a similar nature, hereafter to be issued against any person or persons, or chartered company, engaged in the operations before mentioned, it shall be lawful for such miners, laborers, mechanics and clerks to give notice of their claim or claims, and the amount thereof, to the officer executing either of such writs, at any time before the actual sale of the property levied on; and such officers shall pay to such miners, laborers, mechanics and clerks, out of the proceeds of sale, the amount each is justly and legally entitled to receive, not exceeding one hundred dollars.

Liens to extend to all kinds of property.

SECTION 3. In all cases of the death or insolvency of any person or persons, or chartered company, engaged in the operations before mentioned, or of executions issued against them, the lien and preference mentioned in the first section of this act, with the like limitations and provisos, shall extend to any property of the said persons or chartered company in the county of Luzerne.

Rent in arrears, relative to.

SECTION 4. That the rent in arrears hereafter to become due to the landlord or landlords of any colliery or collieries within

the county of Luzerne, under existing leases, the amount of which said landlords shall be entitled to receive out of the proceeds of the sale under landlord's warrant, execution, or other writ, for the sale of the property liable to the distress of the landlord, except execution upon judgment obtained for such rent, which shall rank according to priority, and be paid as other executions, shall be and the same is hereby restricted to four months' rent due at the time of taking such property in execution or levy under such landlord's warrant, or other writ.

SECTION 5. That no mortgage of any coal lease, or coal mining right and machinery, and fixtures appurtenant thereto, within the county of Luzerne, or other instrument by which a lien is created hereafter executed, shall operate to impair or postpone the lien and preference given, and secured to the wages and moneys mentioned in the first section of this act. Mortgage liens, relative to.

SECTION 6. That all laws authorized a stay of execution upon judgment not exceeding one hundred dollars, obtained against any person or persons, or chartered company mentioned in the first section of this act, for wages and moneys due any miner, mechanic, laborer, or clerk, for labor or services about the business of mining coal as aforesaid, be and the same are hereby repealed so far as relates to the county of Luzerne. Stay of execution upon judgments not exceeding one hundred dollars, relative to.

SECTION 7. That in all cases of appeal from the judgment of justices of the peace, for the wages and moneys mentioned in the first section of this act, the party appellant, his agent or attorney, shall make oath or affirmation that it is not the purpose of delay such appeal is entered, but because he firmly believes injustice has been done; and in lieu of the bail heretofore required by law, the bail hereafter required in cases of appeal from the judgments of justices of the peace, and from awards of arbitrators, for the wages and moneys mentioned in the first section of this act, shall be bail absolute in double the amount of said judgments and awards, and the probable amount of costs accrued, and likely to accrue in such case, with one or more sufficient sureties, conditioned for the payment of the amount of the debt, interest and costs that shall be legally recovered in such case against the appellant. Appeals from the judgment of justices of the peace, relative to.

SECTION 8. That all laws or parts of laws inconsistent herewith, be and the same is hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 306.

AN ACT

To prevent the destruction of Deer in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful for any person or persons to hunt or kill any deer in the counties of Pike or Wayne, except during the months of October and November in each year.

When deer may
be killed in the
counties of Pike
and Wayne.

Penalty for vio-
lating this act.

Proviso.

The kind of evi-
dence to warrant
a conviction.

SECTION 2. Any person or persons offending against the provisions of this act, shall, upon conviction thereof before any justice of the peace of either of the counties of Wayne or Pike, forfeit and pay a fine of not less than twenty dollars, or in default of the payment thereof, to undergo an imprisonment in the county jail of the proper county, for a term not exceeding twenty days: *Provided*, The prosecution is brought within thirty days after the offence was committed.

SECTION 3. Upon any prosecution commenced under this act, possession of the fresh skin or carcass of a deer during any portion of the year, except during the months of October and November, shall, in the absence of better evidence, be sufficient to warrant a conviction under the provisions of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 307.

AN ACT

For the relief of Anna Stackhouse, the widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be and he is hereby authorized to pay to Anna Stackhouse, of Bucks county, widow of John Stackhouse, deceased, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during her life, payable half-yearly, and dating from the first day of January, Anno Domini one thousand eight hundred and fifty-nine.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 308.

A N A C T

To authorize the laying out of a Public Park in the borough of Harrisburg, to be called Harris Park.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William H. Cleckner, Thomas Worley, William O. Zimmerman, T. Allen Hamilton, Beverly R. Waugh, George H. Bell and John L. Lingle, of the borough of Harrisburg, in the county of Dauphin, shall have power and authority, as commissioners, to enclose, with the consent of the town council of said borough, the ground lying around the grave of John Harris, in said borough, and bounded by Front street, by the river Susquehanna at high water mark, and extending from a line one hundred and fifty feet below the railroad bridge of the Cumberland Valley railroad company, to the road leading from Paxton street to the said river, containing about one acre, for the purposes of a public park, to be called Harris park; and after the said grounds shall be enclosed by a suitable railing, fence or wall, it shall be lawful for said commissioners to plant trees, erect seats therein, and otherwise improve the said grounds for the purposes aforesaid, and to make all reasonable rules and regulations for the improvement, superintendence, protection and management of the same.

SECTION 2. That in case of vacancy in the board of commissioners, it shall be competent for the town council of said

LAWS OF PENNSYLVANIA,

borough to fill such vacancy, by the appointment of some other resident of said borough.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 309.

SUPPLEMENT

To the act authorizing the sale and purchase of the Falls of Schuylkill Bridge, in the city of Philadelphia, passed the fifth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the report of any jury of view heretofore appointed or to be appointed by the court of quarter sessions of Philadelphia county, under the provisions of the act to which this is a supplement, which has been or shall be signed by any five of the six jurors or viewers so appointed, may be accepted and acted upon by the said court and councils of the city of Philadelphia, in like manner and with the same effect in all respects as if the same report had been signed by all six of said jurors or viewers, and had been duly so returned to said court: Provided, That in no case shall the amount paid in the city of Philadelphia, for the said bridge, exceed the sum of eighteen thousand dollars, in bonds of said city, to be taken at par.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 310.

AN ACT

Relating to Roads and Bridges in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the court of quarter sessions shall appoint viewers to locate a public road or a bridge, the viewers so appointed shall not proceed to view and locate the same until the persons interested in the road or bridge shall have given public notice, on the route of the proposed road, by written or printed advertisements, of the time and place where said viewers shall meet, for the purpose of locating said road or bridge, at least ten days before such time of meeting: *Provided,* That in no case shall the number of viewers so appointed exceed three, all of whom shall view the ground of the proposed location, and the majority agree on and sign the report.

Notice of road
and bridge views
to be published.

Proviso.

SECTION 2. That if the viewers aforesaid shall decide in favor of locating a public road or bridge, as the case may be, it is hereby made their duty to obtain from the persons through whose lands the road may pass, releases for any damage that may arise to them in opening the same; and in every case where the owner or owners of such land refuse to release their claim to damages, it shall be the duty of said viewers to assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessment, which they shall transmit to the next court of quarter sessions, with a draft or plot of the location, to be filed by the clerk with the papers in the case.

Releases for
damages, rela-
tive to.

SECTION 3. That it is hereby made the duty of said court to examine the amount of damages assessed as aforesaid; and if it shall appear to said court that the amount of damage assessed on the location of said road or bridge is so small that the public interest will be advanced by paying the same, and opening the road, the court shall decide accordingly; but if the court shall be of opinion that the necessity for the road will not justify the county in paying the damage assessed, the court shall refuse to confirm the report of said viewers: *Provided,* That if any person shall pay the damage assessed, or reduce the same to what the court may deem reasonable and just in the case, then the road or bridge may be confirmed, as heretofore.

Duty of court
relative to dama-
ges.

Proviso.

SECTION 4. That it shall be the duty of the court, upon sufficient cause being shown, to appoint reviewers, either upon the location or damages assessed, or on both, who shall have the same power as is given to viewers in the second section of this act, as to location, releases and assessment of damages; and the same notice shall be given of the time and place of meeting, and the court shall have the same power in regard to their report, as in the case of views.

Court to appoint
reviewers.

Duty of clerk of
the court.

SECTION 5. That it shall be the duty of the clerk of the court to lay all reports on roads and bridges before the county commissioners, to be examined by them; and it shall be their duty to report, for the information of the court, what they know in the premises; and in regard to bridge reports, it shall be their duty, in addition, to cause an accurate estimate of the cost thereof, which they shall attach to said report, for the information of the court and grand jury.

Duty of supervisors and street
commissioners.

SECTION 6. That it shall be the duty of the supervisors of the several townships, and the street commissioner, or other persons having charge of the highways in incorporated boroughs, to keep in repair all bridges built, or that may hereafter be built, by the county commissioners, at the charge of the county; and they shall be subject to the like penalties for neglect as they are now liable to in the case of roads and bridges built at the expense of the township or borough.

Duty of county
commissioners.

SECTION 7. It shall be the duty of the county commissioners, upon representation being made to them that any bridge built by the county has been damaged or destroyed by flood or other casualty, or by natural decay become unsafe, so as to be too heavy an expense for the township to repair or rebuild, to make an examination of the same; and if they are then satisfied such is the case, to proceed to repair or rebuild the same, as to them shall appear best, as in the case of new bridges.

Persons interest-
ed to give notice
to county com-
missioners.

SECTION 8. That it shall be the duty of the persons interested to give timely notice, to at least one of the county commissioners, of the time and place of holding all views and reviews held under authority of this act.

Repeal.

SECTION 9 That all acts inconsistent with the foregoing are hereby repealed, so far as they relate to the county of Washington: *Provided however*, That all unfinished proceeding in the court of quarter sessions in said county, relative to roads and road damages, commenced under the acts hereby repealed, shall be completed according to the provisions of the said acts, notwithstanding the repeal of the same.

Proviso

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 311.

AN ACT

For the election of an additional Constable for the township of Brady's Bend, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and Touse of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next election for constable in Brady's Bend township, Armstrong county, and annually thereafter, the qualified voters of said township shall elect two persons to serve as constables of said township, instead of one, as heretofore: *Provided,* That each constable so elected, shall give the full amount of security now required by law from the constable of said township: *And provided further,* That one of the persons so elected shall, at the time of his election, and during his continuance in office, reside at the works of Brady's Bend iron company.

Authorized to elect two persons to serve as constables.

Proviso.

Proviso

SECTION 2. That it shall not be required to hold the election provided for in the first section, unless in the opinion of the superintendent of the Brady's Bend iron company (certified in writing to the constable of said township) it shall be necessary to preserve the peace of said township.

Certificate of superintendent of Bradys Bend iron works to be obtained

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 312.

AN ACT

To incorporate the Whitemarsh and Cheltenham Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Stout, Daniel Wentz, William Acuff, John Shaffer, Christian Lower, William Yeakle, Joseph Yeakle, Charles Yeakle, William Unruh, Alexander Ottinger, Jr., John Huston, Hiram Potts,

Commissioners.

Subject to.

John Funk, Daniel Stout, Anthony Williams, Charles Gilbert, James Brooke, John Lenhart, Henry Bolton, Charles Bolton, Milton Newberry, Adam Martin, Jacob S. Yeakle, Joseph Newhouse, George Hamil and B. T. Hallowell, or any five of them, are hereby appointed commissioners, and invested with all the powers and privileges granted by the act regulating turnpike and plank road companies, passed and approved the twenty-sixth of January, one thousand eight hundred and forty-nine, and contained in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, nineteenth, twentieth and twenty-first sections of the aforesaid act.

Route.

SECTION 2. That the president and managers of said Whitmarsh and Cheltenham turnpike road company when organized, are hereby authorized to lay out said turnpike road, commencing at the Bethlehem turnpike, in Whitmarsh township, Montgomery county, at such point between the tavern property of the late judge Longstreth and the Whitmarsh school house, as shall be determined upon by the managers of said company; thence along or near the present bed of the Church road to the Limekiln turnpike, between the eighth and ninth mile stones, in Cheltenham township, and county aforesaid, the president and managers to have the power to depart from the present location of the road, where it may be necessary to straighten said road or avoid hills, with a grade not exceeding four degrees.

Tolls.

SECTION 3. That the company shall not to be liable for fractions of a cent for tolls; and the capital stock of this company shall be ten thousand dollars, making four hundred shares, at twenty-five dollars for each share: *Provided*, That the said company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete said road, according to the true intent and meaning of said act.

Proviso.

When toll may be taken.

SECTION 4. That when and as often as the president and managers of this company shall have completed any one mile or more of the said road, they may proceed to have the same inspected and licensed for taking toll thereon, in the same manner and with like restrictions and privileges as is contained in the twelfth section, providing for the inspection of five or more miles when finished.

Commencement and completion.

SECTION 5. That if the said company shall not commence the construction of the said road within two years from the date of the passage of this act, and complete the same within four years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 313.

A N A C T

Declaring Potts Run, in the county of Clearfield, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, Potts run, in Clearfield county, from the mouth thereof, where it empties into Clearfield creek, up to Kelly's mill, be and the same is hereby declared a public highway for the passage of lumber, rafts, boats and other vessels; and it shall and may be lawful for the inhabitants desirous of using the navigation of said creek, to remove all natural and artificial obstructions from the bed or channel of said creek, excepting mill dams or water works, and to erect such slopes or locks, and to keep them in repair, at the dams now built, as may be necessary for the passage of lumber, rafts, boats and other vessels: *Provided,* That such slopes or locks be so constructed as not to injure said dams: *And provided also,* That any person or persons owning or possessing lands on said creek, may construct or erect any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act, entitled "An Act to authorize any person or persons owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams for mills and other water works," passed the twenty-third of March, one thousand eight hundred and three.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 314.

A N A C T

To incorporate the Cheltenham Hills Water and Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Joseph Childs, Edward M. Davis, Charles Bosler, James Mott, Penrose Mather, George W. Lord, Junior, Morris L. Hallowell, are hereby authorized to establish a water and gas company, by the name, style and title of the Cheltenham Hills water and gas company, to be located in the township of Cheltenham, Montgomery county, for the purpose of introducing water from Tacony creek and Kulp's stream, and other convenient sources, into the said township of Cheltenham and the adjoining township of Abington, and for the purpose of introducing gas light into said townships; said company to have a capital of one hundred thousand dollars, with the right to increase it to one hundred and fifty thousand dollars, in shares of such size as may be determined by the board of directors; and said company shall have the right to hold not exceeding one hundred and fifty acres of land at one time, and shall be organized and managed under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and any supplement thereto.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 315.

A N A C T

To incorporate the Ebensburg and Cresson Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. D. W. Lewis, Johnston Moore, E. Glass, William K. Piper, John Evans, Peter Kaylor, A. Durbin, Enos M'Mullen, Daniel Farren, David A. Harra and Henry Scanlan, be and they are hereby appointed commissioners to receive subscriptions, and organize a

Style. company by the name, style and title of the Ebensburg and Cresson railroad company, with power to construct a railroad,

Powers beginning at or near Ebensburg, in Cambria county; thence by such practicable route and moderate grade as will, in the opinion of the president and directors of the said company, most conduce to the public interest, to a point at or near Cresson station,

in said county, with the privilege of connecting at or near said Cresson station, with the Pennsylvania railroad company.

SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into shares of fifty dollars each, with the privilege to increase the same from time to time, to an amount sufficient to complete their road, and provide the same with all the necessary cars, locomotives, machinery, depots, water stations, et cetera. Capital stock.

SECTION 3. That the directors of said company are hereby authorized to pay to the stockholders entitled to receive the same, interest at the rate of six per centum per annum on all instalments paid by them until the work is completed and in operation; which interest shall be charged to the cost of the road. Interest to stockholders.

SECTION 4. That the directors of the said company may borrow money, to an amount not exceeding one hundred thousand dollars, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, and secure the payment of the principal and interest of said bonds by a mortgage or mortgages upon the road, property and franchises of the said company; and the said directors may make the said bonds convertible into stock at par, if such course shall be deemed advantageous to said company: *Provided*, That the declaratory act, passed the twenty-fifth day of February, one thousand eight hundred and fifty-six, respecting the interest on loan certificates issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, one thousand eight hundred and forty-two, referred to therein, shall extend and be applied to the certificates issued under the present act. May borrow money and issue bonds.

SECTION 5. That any incorporated railroad, or incorporated iron company, shall have power to subscribe to the capital stock of said Ebensburg and Cresson railroad company, or to purchase or endorse the bonds of the said railroad company, and shall be represented at the meetings and elections of said company, by such person or persons as may be designated by the governing power of such subscribing or endorsing corporation. Provide

SECTION 6. That said company shall be entitled to all the privileges, and subject to all the restrictions imposed by an act, entitled "An Act regulating railroads," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as is otherwise provided for in this act. Certain companies authorized to subscribe to stock, &c.

SECTION 7. That if the said company shall not commence their road within three years, or complete the same within six years, from and after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs and pay the debts of said company. Subject to

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine. Commencement and completion.

WM. F. PACKER

No. 316.

AN ACT

Authorizing the laying out of a State road leading from Schroyer's Gap, in Clinton county, by way of M'Call's Mills, in Union county, to Spruce Run Gap, in Union county, to intersect the Ruegler road, in said county.

- Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Kelly, William Wagner, Francis A. Boyer, James H. M'Cormack, Abraham Shipman, Andrew Neye and William H. Kase, of the counties of Snyder and Northumberland, be and they are hereby appointed commissioners, who, after being duly sworn and affirmed, shall proceed to examine the route of a state
- Route.** road from Schroyer's gap, in Clinton county, in a southerly direction, to M'Call's mills, in Union county; thence an easterly direction to Spruce Run gap, in Union county, to intersect the Ruegler road, in Union county, with power to follow the line of any road running in the same direction as in their judgment they may deem necessary, at a grade not to exceed five degrees, and to report on or before the first day of May, one thousand eight hundred and fifty-nine, in case they shall report in favor
- Proviso.** of laying out said road: *Provided,* That if upon the examination of the route above described, the said commissioners, or a majority of them, shall be of the opinion that a road over said route is unnecessary and inexpedient, they shall report against laying out a road over said route, in which case said report shall be final and conclusive, and all further proceedings therein shall cease and determine.
- Duty of commissioners.** SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, (after having been duly sworn or affirmed as aforesaid, before a justice of the peace, who shall file and preserve the same in his office,) to perform all the duties required by this act with impartiality, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good and do least injury to private property.
- Surveyor, chain carriers and axeman, appointment of.** SECTION 3. That it shall be the duties of the said commissioners to appoint one of themselves, or some fit person to act as surveyor, at three dollars per day, two chain carriers and one axeman, at one dollar and twenty-five cents per day each; and for fulfilling the duties enjoined by this act, the said commissioners shall be allowed two dollars per day each, for every day they may be necessarily employed in performing the duties of their appointment.
- Compensation.**
- Expenses, how paid, &c.** SECTION 4. That the said commissioners, surveyor, chain carriers and axeman, shall be paid by the counties of Clinton, Centre and Union, as other accounts against said counties are paid, in proportion to the length of time they are engaged in the said counties respectively.

SECTION 5. That if any vacancy should occur in said board, Vacancies, how supplied. by death, resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting a suitable person or persons to fill such vacancy or vacancies from the county or counties in which the vacancy shall occur.

SECTION 6. That the said commissioners shall plainly and distinctly mark the location of said road, and lay out the said Location to be plainly marked, &c. road, or any part thereof, if deemed necessary, on the bed of any road or part of a road heretofore laid out by authority of law.

SECTION 7. That it shall be the duty of the surveyor to make Surveyor to make drafts. a fair and accurate draft of the location of said road, noting thereon the courses and distances, with reference to the improvements; one copy of which shall be deposited in each of When deposited the clerks offices of the courts of quarter sessions of the counties of Clinton, Centre and Union, on or before the first day of July next; and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened to the width of thirty-three feet; and shall be opened and repaired in all respects as other public roads in this commonwealth are opened and repaired by the supervisors of the respective townships through which the said road is located.

SECTION 8. The commissioners appointed under the provisions of this act, shall, before entering upon the duties assigned to them, give at least ten days' public notice, by at least five written or printed advertisements, put up in the most public places Commissioners to give public notice before entering upon their duties. in the townships of Hartley, Lewis and West Buffalo, in the county of Union, and shall also give such notice in Centre and Clinton counties, as they may deem expedient.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 317.

AN ACT

Relative to Supervisors in Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the supervisors of the*

several townships of the county of Perry, shall, before entering upon the discharge of the duties of their office, give bond, with sufficient security, in double the amount of taxes to be collected by said bond, to be approved by the township auditors, and filed with one of the justices of the peace of the township for which said supervisor was elected: *Provided*, That when the supervisor elected may be the of unincumbered real estate to the value of one thousand dollars, then and in such case no bond shall be required.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 318.

AN ACT

For the better securing the Payment of the Wages of Labor in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all wages that may be due from any person or persons, or chartered company engaged in the mining of coal within the county of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin, either as owners of the soil or having a lease of a coal mine or mines, to any miner, mechanic, laborer or clerk employed by such person or persons or chartered company, in and about such business aforesaid, for any period not exceeding six months immediately preceding the sale and transfer of such property, by execution or otherwise, or the death or insolvency of such employer or employers, shall be a lien upon said colliery or collieries and other property in and about the same and used in carrying on the said business of mining, or in connection therewith, to the extent of the interest of said employer or employers, in said property, and shall be first preferred and paid out of the proceeds of the sale of such colliery or collieries and other property as aforesaid: *Provided*, That the claims of each miner, mechanic, laborer and clerk thus preferred, shall not exceed one hundred dollars: *And provided further*, That this act shall not be construed so as to impair contracts existing or liens of record vested prior to its passage.

Wages to be preferred and first paid out of proceeds of sale, &c.

Proviso.

Proviso.

Certain act extended so far as relates to certain counties, &c.

SECTION 2. That the limit of fifty dollars, mentioned and contained in the third section of the act of assembly of April second, one thousand eight hundred and forty-nine, entitled

"An Act for the protection of miners, mechanics and laborers in certain counties," is hereby extended to one hundred dollars, for the collection of the wages mentioned in the first section of this act, so far as relates to the counties of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin.

SECTION 3. That the lien of the rent due to the landlord or landlords of any colliery or collieries within the counties of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin, the amount of which said landlord or landlords shall be entitled to receive out of the proceeds of the sale under a landlord's warrant, execution or other writ for the sale of the property liable to the distress of the landlord, except execution upon judgment obtained for such rent, which shall rank according to priority and be paid as other executions, shall be and the same is hereby restricted to one month's rent due, together with any fraction of a month's rent, accruing immediately prior to the time of taking such property in execution or levy, under such landlord's warrant or other writ. Rent in arrears, relative to.

SECTION 4. That no mortgage of any coal lease or coal mining right, and machinery and fixtures appurtenant thereto, within the county of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin, or other instrument by which a lien is created thereupon, hereafter executed, shall operate to impair or postpone the lien and preference given and secured to the wages mentioned in the first section of this act. Lien for labor relative to.

SECTION 5. That all laws authorizing a stay of execution upon judgments not exceeding one hundred dollars, obtained against any person or persons, or chartered company mentioned in the first section of this act, for the wages of any miner, mechanic, laborer or clerk employed by such person or persons, or chartered company, in and about the business of mining coal as aforesaid, be and the same are hereby repealed, so far as relates to the counties of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin. Stay of execution upon judgments for wages, relative to.

SECTION 6. That in lieu of the bail heretofore required by law, the bail hereafter to be required in cases of appeal from the judgments of justices of the peace, and from the awards of arbitrators for the wages mentioned in the first section of this act, shall be bail absolute in double the amount of said judgment and the probable amount of costs accrued and likely to accrue in such case, with one or more sufficient sureties, conditioned for the payment of the amount of the debt, interest and costs that shall be legally recovered in such case against the appellant. Bail on appeal for wages shall be bail absolute

SECTION 7. That all laws and parts of laws inconsistent herewith, be and the same are hereby repealed, so far as the same relates to the counties of Schuylkill, Northumberland, Somerset, Carbon, Washington and Dauphin. Repeal

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 319.

A N A C T

To incorporate the Trustees of the Young Men's Christian Association Building of Philadelphia.

Preamble.

WHEREAS, A number of persons have expressed a desire to raise, by voluntary subscription, a sufficient sum to purchase a lot of ground, and erect thereon a suitable building, for the purpose of carrying out more fully the objects of the Young Men's Christian Association of Philadelphia, to wit: The spiritual, mental and social improvement of young men:

And whereas, While the donors freely give, and would secure to the said Young Men's Christian Association the said building and its incomes, while the said association exists on its present evangelical Protestant basis, yet it is desirable on the other hand, in case of the dissolution of said association, that the building, or property created by said donors, should be conveyed legally to the Pennsylvania Bible society:

And whereas, It is also desirable that the funds so subscribed should be faithfully and honestly applied for the purpose hereinbefore named; and that each Protestant evangelical denomination, which is now represented in the said Young Men's Christian Association, may have an equal voice in all matters involved in the erection of the said building, and in the disposal of the funds subscribed therefor, as well as in the conveyance of the property, in case of its being desirable to sell, for the purpose of selecting a more eligible site, or because of the dissolution of said association as hereinbefore named; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Bucknell, of the Baptist denomination, Thomas H. Powers, of the Protestant Episcopal denomination, John A. Brown, of the New School Presbyterian denomination, Isaac F. Baker, of the Old School Presbyterian denomination, Thomas T. Tasker, of the Methodist Episcopal denomination, Frederick B. Atmore, of the Methodist Protestant denomination, Thomas L. Luders, of the Moravian denomination, Jehu Tunis Way, of the Reformed Dutch denomination, Charles Santee, of the Reformed denomination, Davis Pearson, of the Lutheran denomination, William Woodside, of the Independent denomination, William Getty, of the United Presbyterian denomination, George H. Stuart, of the Reformed Presbyterian denomination, Horace J. Smith, of the Society of Friends denomination, Samuel W. Van Culin, of the Disciples of Christ denomination, and their successors, be and are hereby declared to be a body politic and corporate, by the name, style and title of the trustees of the Young Men's Christian Association building of Philadelphia, to have perpetual succession, to have power to take, hold and dispose of any and all kinds of property, real estate, goods, chat-

Corporators

Style

Powers

tels and sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest, or otherwise, from any person or persons whatsoever, capable of making the same; and the same to grant, bargain, sell and give a good conveyance, to sue and be sued, to plead and be impleaded, contract and be contracted with; to have and to use a common seal, and to alter, destroy and renew the same at pleasure; to make by-laws, appoint such officers as they may deem expedient, and to do all other acts, and enjoy all other powers incident to similar corporations in general, under and subject to the laws of this commonwealth.

SECTION 2. That whenever any one of the said corporators shall die, resign, or cease to be a member of the denomination to which he belonged at the time of his original appointment as a trustee, his place shall become vacant, and be supplied by some person chosen by the remaining corporators, at a meeting of the corporation, convened upon a notice of at least ten days, published in at least two of the daily papers of the city of Philadelphia, and served upon each corporator at his residence or place of business, specifying therein that such an election is to be held; and no person shall be eligible who is not a citizen of this commonwealth, and a member in good standing of the same denomination of Christians as was the corporator whose place is to be supplied: *Provided however*, That nothing in this enactment shall prevent an addition to the number of said trustees, of a representative from any Protestant evangelical denomination which may hereafter be represented in the Young Men's Christian Association of Philadelphia, it being understood, that in the event of any such Protestant evangelical denomination being represented in the said association, it shall be competent for a majority of the said board to elect a trustee from such a denomination.

Vacancies, how supplied.

Proviso.

SECTION 3. That the said corporators shall be and they are hereby required to receive subscriptions to the building fund of the Young Men's Christian Association of Philadelphia; and when the sum of one hundred thousand dollars shall have been subscribed, they shall direct the board of managers of said association, by and with the advice and approbation of the trustees, to purchase a lot, and erect, or cause to be erected thereon, a building or buildings, suitable for the purpose of the Young Men's Christian Association of Philadelphia; but the said lot, when purchased, shall be conveyed to the said trustees, in fee simple.

Subscriptions to building fund, relative to.

SECTION 4. That in the case the said Young Men's Christian Association of Philadelphia shall ever be dissolved, or cease to exist on its present evangelical Protestant basis, the said trustees shall be required to grant and convey, transfer and assign, as a free gift, all property and effects, real or personal, held by them for the use of the said association, to the Pennsylvania Bible society, organized in Philadelphia, December twelfth, one thousand eight hundred and eight, under the name of the Bible society of Philadelphia, and changed to the Pennsylvania Bible society by act of assembly, approved the seventh day of March, Anno Domini one thousand eight hundred and forty, for the use of said society; and the said Pennsylvania Bible society is authorized to receive and hold the same, and to devote the in-

Dissolution of association, relative to.

Trustees to have
supervision over
buildings, &c.

come thereof to the purposes for which said society was organized, and to which the other incomes of said society are devoted.

SECTION 5. That the trustees hereby incorporated shall have supervision over the building or buildings erected, or to be erected, by the funds subscribed as hereinbefore stated; they shall see that such building or buildings are not used for any purposes incompatible with the objects contemplated by the association; and upon representation being made to them that the building or buildings are being used contrary to the objects of the association, or of the donors, they shall immediately examine into the charges so made, and if, in the judgment of two-thirds of the whole number of trustees, said charges be sustained, they shall have power to compel the said association to use the buildings only for the purposes of its erection, by closing it or otherwise.

Quorum.

SECTION 6. That in all meetings of the trustees hereby constituted, seven members shall constitute a quorum.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 320.

AN ACT

To incorporate the Berks County Association for the improvement of the Breed of Stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* W. L. De Borbon, Tobias Barto, Isaac Ely, Daniel Housan, Jacob Schmucker, Andrew Davis, Peter High, Isaac Enis, Samuel Rhoads, John Hoff, A. M. Sallade, Horatio Morris, George Smith, G. M. Lauman, Townsend Evans, Major John Schwartz, Isaac Eckert, Jacob Deisher, John Green, William Althouse, David Levan, Thomas Hill, C. Faber, B. Tyson, Major John Ebner, George R. Frill, Doctor Johnson, C. J. Hunter, Doctor John Stephens, Reuben Adams, Colonel Daniel Kutz, William Rhoads, Junior, Casper Reifsnyder, Henry F. Felix, Colonel S. L. Young, Joseph Henry, Adam Leize, Joseph Smucker, Colonel E. P. Smith, Josiah Herring, M. Seltzer, N. Jones, S. E. Ancona, Colonel H. R. Harman, William Krick, Doctor C. H.

Hunter, Samuel Shilling, John S. Good, Hiester Clymer, Joseph Rambo, Frederick Lauer, John Borell, Charles Kessler, Jacob Knabb and Doctor M'Curdy, their associates and successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Berks County association for the improvement of the breed of stock, to be located in the county of Berks, with a capital stock of twenty thousand dollars, in shares of fifty dollars each; and shall possess all the powers and privileges, and be subject to all the restrictions of an act incorporating the New Castle park association of Lawrence county, approved February twentieth, A. D. one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 321.

AN ACT

To incorporate the Fairmount and Manayunk Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Whilmon Whilldon, William Simpson, Isaac K. Wright, William R. Kiehl, Jonas Everhardt, Stillwell S. Bishop and Caleb S. Wright, their associates, successors and assigns, be and they are hereby incorporated into a body corporate and politic, by the name, style and title of the Fairmount and Manayunk steamboat company, and by the said name, style and title, the company shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded; to have a common seal, and to receive, possess, employ and dispose of steamboats, with their appurtenances, and the steam engines and other machinery necessary and proper for the propulsion and navigation thereof by the use of steam; and further, to have all such rights and powers as are, or may be properly incident to a corporation having for its object the conveyance of passengers and mails by the means of steam navigation to and from Fairmount, Manayunk and intermediate points: *Provided*, That said company shall be allowed to hold only such real estate as may be neces-

sary to accommodate the company's vessels, or such as may be conveyed to said corporation for or in payment of debt.

Directors, election of, &c.

SECTION 2. That the seven persons named in the first section, shall be directors of the said corporation until their successors are chosen by the stockholders, with power to choose from among their number a president; an election for seven directors shall be held on the second Tuesday in May, one thousand eight hundred and fifty-nine, and annually thereafter, of which election public notice shall be given of the time and place; but no failure to elect directors at the time named shall work as a non-user, but those in office shall continue therein until others are duly chosen.

Capital stock.

SECTION 3. That the capital stock of said company shall be not over thirty-five thousand dollars, divided into seven hundred shares of fifty dollars each; and the person holding said stock shall be entitled to one vote for each share of stock held by them, and may vote either by person or by proxy; the shares of the stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators, or attorney duly and lawfully authorized, in a book to be provided for that purpose, and in such manner as the directors shall direct.

Votes.

Dividends.

SECTION 4. That dividends of the profits of said Fairmount and Manayunk steamboat company, as shall appear advisable to the directors, shall be declared and paid to the stockholders at least once in each year; but they shall in no case exceed the amount of the net profits actually made and acquired, after deducting all losses and expenses; and if the directors shall declare and pay any dividend by which the capital stock of said company shall be impaired, they shall be jointly and severally liable for so much of the said capital stock as may be thus impaired and divided, which shall be recoverable by any party aggrieved or injured, in an action recoverable for debt as in other cases.

Capital stock not to be impaired.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 322.

SUPPLEMENT

To an act to incorporate the Philadelphia City Passenger Railway Company, passed the twenty-sixth day of March, A. D. one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the provisions in the first section of an act regulating railroad companies, approved the nineteenth day of February, A. D. one thousand eight hundred and forty-nine, which requires the commissioners named in any special act incorporating any passenger railroad company, to give at least twenty days' notice, in one or more newspapers, of the time and place for opening books for receiving subscriptions to the capital stock of such company, is hereby declared not to extend or apply to the act, entitled "An Act to incorporate the Philadelphia City Passenger railway company," passed the twenty-sixth day of March, A. D. one thousand eight hundred and fifty-nine, to which this is a supplement; and the commissioners named in the said act, or two-thirds of them, are hereby authorized and empowered to open books, for the purpose of making and receiving subscriptions to the capital stock of the said passenger railway company, and to make and receive such subscriptions after giving three or more days' notice, as the said commissioners shall determine, of the time and place of opening such books, in at least two daily newspapers in the city of Philadelphia.

Provisions of the first section of certain act not to extend to the Philadelphia City Passenger railway.

Commissioners to give public notice of time and place for receiving subscriptions to stock.

SECTION 2. That the said company shall have the exclusive right to use and occupy the streets named in the act to which this is a supplement, for railway purposes, and is hereby authorized and directed to commence and lay their said railway upon the said streets, substantially, with the form and gauge of rail, and in the mode and manner of laying the same as are now used by the Frankford and Southwark Passenger railway company; and they shall conform in all respects to the grades and regulations of said streets, as they now are, under the directions of the chief engineer of said city. And so much of any law or ordinance as requires the proposed plan, courses, styles of rail, and manner of laying the same, to be approved by the board of surveys and regulations of said city, and all laws conflicting or inconsistent with this supplement, be and are hereby repealed.

Exclusive right to use and occupy certain streets

Must conform to grades of streets.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

LAWS OF PENNSYLVANIA,

No. 323.

A N A C T

Authorizing the Commissioners of Washington county to pay certain moneys to William Greenfield, of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Washington county be and are hereby authorized and directed to draw their warrant on the treasurer of the said county, in favor of William Greenfield, for such sum or sums as he has paid as costs and expenses in the arrest, imprisonment and conviction of Francis Fogler, for the crime of arson in said county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 324.

A N A C T

To change the time of the meeting of the County Auditors of Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of Northumberland county shall assemble at the seat of justice, on the third Monday of January in each year, to discharge their duties as prescribed by law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 325.

AN ACT

To empower the electors of Pollock township, in the county of Lawrence, to elect Supervisors of Highways, and Overseers of the Poor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* at the ensuing township election, the qualified electors of the township of Pollock, in the county of Lawrence, shall elect three supervisors of highways for said township, one of whom shall serve three years, one to serve two years, and one to serve one year, and one shall be elected annually thereafter to serve three years; and the said supervisors shall, when duly qualified, be, by virtue of their office, overseers of the poor of said township, and shall perform all the duties of supervisors of highways, and overseers of the poor of said township, and any law or part of law inconsistent herewith, be and the same is repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 326.

AN ACT

To lay out a State Road in Westmoreland and Allegheny counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners John Craig, of Westmoreland county, and R. F. Logan and Christian Snively, of Allegheny county, and John Steele, of Armstrong county, be and they are hereby appointed commissioners to view and lay out a state road from a point on the Route. state road near M'Cutcheon's mills, in Westmoreland county, to Parnassus station, on the Allegheny Valley railroad.

Duty of commissioners.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after being duly sworn and affirmed by a justice of the peace (who shall file and preserve the same) to perform the duties enjoined by this act, with fidelity, carefully to view the ground over which the said road is to pass, and lay out the same of the width of forty feet, and at a grade not exceeding five degrees of elevation or depression from an horizontal line, and distinctly mark the road so laid out; and the said commissioners shall receive for their services the sum of two dollars per day each; and if either of said commissioners shall perform the duties of surveyor, he shall receive the additional sum of one dollar and fifty cents per day for each day he may be necessarily employed; and said commissioners may employ two chain carriers and an axeman, at a sum not exceeding one dollar per day each.

Compensation.

Commissioners to make out draft.

SECTION 3. That the said commissioners shall make out a full and accurate draft of the road so laid out by them, noting thereon the courses and distances, and the improvements, waters, county and township lines, with such other matter as may serve for explanation; one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of September next, and one copy filed in each of the clerk's offices of the courts of quarter sessions of the counties of Westmoreland and Allegheny; and the said commissioners and their attendants shall be paid out of the county treasuries of Westmoreland and Allegheny counties, in proportion to the length of road in each of said counties respectively.

Copies of, when and where deposited.

Duty of supervisors.

SECTION 4. That it shall be the duty of the supervisors of the several townships through which the said road shall be located, upon notice given, to proceed immediately to open and make the said road as other roads laid out by authority of law are opened and made.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine

WM. F. PACKER.

No. 327.

S U P P L E M E N T

To the act incorporating the borough of Apollo, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

from and after the passage of this act, the boundaries of the borough of Apollo, in the county of Armstrong, shall be extended and enlarged as follows, to wit: Beginning at the north-west corner of said borough at a post, and from thence down the Kiskiminetas river, making said river a line for the distance of one hundred and fifty-five perches to a water ash; thence from said river south sixty-three degrees east seventy-four perches to a locust; and from thence south fifteen and one-half degrees west ninety-eight perches, to the north-east corner of the aforesaid borough; thence to the northern line of said borough south eighty-one degrees west ninety-eight perches, to the place of beginning.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 328.

A SUPPLEMENT

To the act to incorporate the Cochranville Hall Association, of Chester county, approved April twelfth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for Hebron lodge, number four hundred and thirty-seven, I. O. of O. F., of Pennsylvania, to purchase and to hold stock in the Cochranville hall association, in the name of the said lodge; and if, at any time, the whole of the shares of the capital stock of the said association shall become vested in the said Hebron lodge, then, and in such case, the said lodge shall, at its last stated meeting of the month of December, and in every year thereafter, on its said last stated meeting of the month of December, elect the trustees and officers required by the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 329.

SUPPLEMENT

To an act to incorporate the University of Kittanning, approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of the commonwealth, the judges of the supreme court, the senator, representative and member of congress of the district, shall be ex-officio members of the board of trustees; and that the said University of Kittanning, in all its several departments, shall be capable of possessing and enjoying such rights, privileges, benefits, gifts, grants, appropriations and immunities as may be given, granted, appropriated or conferred by this commonwealth to, or on similar institutions for the cultivation of learning and science.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 330.

A SUPPLEMENT

To an act approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-eight, to authorize the laying out of a State Road from New Castle, in Lawrence county, to Emlenton, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John P. Crawford, Joseph Cummins and James Milford, are hereby authorized and required to review that portion of the state road leading from New Castle, in Lawrence county, to Emlenton, in Venango county, which lies between Harrisville and Emlenton; the said viewers to receive the same compensation per diem, and be subject to the same requirements as the

original viewers were ; and the commissioners of the counties of Venango and Butler are hereby required to pay the costs incurred in making said review, in proportion to the time spent in their respective counties ; and said viewers are hereby empowered, if they find a change necessary, to vacate any portion of the former location, and to locate the same, and make return of the same on or before the first day of June next.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F PACKER.

No. 331.

A SUPPLEMENT

To an act to incorporate the Phoenix Iron Company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Phœnix iron company shall have power to lay out and construct a railway, with turn-outs and sidings, in the borough of Phœnixville, in the county of Chester, from the mills and blast furnaces of the said corporation, across Main street, in said borough, on the grade of the said street, to West Mill street ; and along said West Mill street on the grade thereof, to Gay street ; and across Gay street on the grade thereof, to certain lands of the said corporation ; and also to connect the said railway with another railway of the said corporation, now in use by the same in the said borough ; and also to use and work the said railway hereby authorized to be laid out and constructed, in the same manner as their other railway is now worked and used, and for the transportation and carriage of all kinds and descriptions of burdens : *Provided however,* That the rail which shall be laid across the said Main and Gay streets, shall be of the same general form and shape as that used for passenger railways, and that the said streets when crossed by the railway, shall have a well made and properly constructed gutter on each side of said streets, under the railway, for conveying the water therefrom : *And provided also,* That before the said corporation

shall lay out and construct a railway as aforesaid, the councils of said borough shall by resolution or ordinance consent to the laying out and construction of the said railway, and that said consent may be so given by the present, or any subsequent council of the said borough, at any stated or special meeting of the same: *Provided*, That no turn-out or siding shall be put in either Main, West Mill or Gay street, in said borough.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 332.

AN ACT

Relative to the Fees of the Sheriff of Crawford county.

Mileage of sheriff,
relative to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the sheriff of Crawford county shall be authorized and allowed to charge and receive the usual rate of mileage for all actual travel performed by him in summoning jurors within said county, and shall make return under oath of such actual travel, on the back of the *venire*, in case of each and every juror, in summoning whom such travel shall have been performed.

Mileage of county
commissioners

SECTION 2. That the commissioners of said county shall each be authorized and empowered to charge and receive mileage for all necessary travel performed by them in holding the courts of appeals in said county, in accordance with the laws of this commonwealth regulating triennial assessments in said county, at the rate of eight cents per mile so traveled.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 333

A N A C T

To compel the Supervisors of Roads in the township of Crawford, in Clinton county, to give security.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty, and the supervisors of the township of Crawford, in the county of Clinton, are hereby required, before entering upon the duties of their respective offices, to give bond, with one or more sureties, to be approved by a majority of the township auditors of the same township, conditioned for the faithful performance of their respective duties, for a just account of all moneys that may come into their hands by virtue of their said offices, for the delivery to their successors in office of all books, papers, documents, and other things held in right of their offices, and for the payment of any balance of money belonging to the township that may remain in their hands. Supervisors to give bond.

SECTION 2. That it shall be the duty of the township auditors of said township to return a copy of such bond to the prothonotary of the county, before the meeting of the term of court of quarter sessions next succeeding such election; and in case any person elected to said office of supervisor shall neglect or refuse to enter upon the duties of his said office, and give bond as aforesaid, previous to said term of court, it shall be the duty of said court to appoint a suitable person to fill any such vacancy, and to take bonds for the faithful performance of the duties as aforesaid. Duty of auditors.
Refusal to give bond, relative to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 334.

A N A C T

For laying out a State Road from Kresgeville, in Monroe county, to the State road leading from Stroudsburg to Mauch Chunk, near the house of Lynford Troch, in Carbon county.

Commissioners. **Route.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Henry Boyer and John Craig, of Carbon county, and William S. Rees, of Monroe county, be and are hereby appointed commissioners to lay out a state road from the main road in Kresgeville, Polk township, Monroe county, to the state road leading from Stroudsburg to Mauch Chunk, near the house of Lynford Troch, in Upper Towamencing township, Carbon county.*

Duties, &c., of commissioners. SECTION 2. That the said commissioners, or a majority of them, after being first sworn or affirmed to perform the duties enjoined upon them with fidelity, shall carefully view the ground between the proposed points for said road, and shall lay out the same in as nearly a straight line as the nature of the ground, and other important circumstances, will permit, so as to promote the public good; and they shall be authorized and empowered to employ two chain bearers, one axeman, and one staff bearer, at a per diem allowance not exceeding one dollar and fifty cents per day, for each person so employed.

Drafts, where and when deposited. SECTION 3. That the said commissioners shall cause the road, which they shall lay out, to be distinctly marked upon the ground, and shall cause three accurate drafts to be made of the said road, noting thereon the courses and distances, streams of water, and township and county lines, one of which shall be deposited in the office of the secretary of the commonwealth, and one in the office of the clerk of the respective courts of quarter sessions of Monroe and Carbon county, on or before the first day of December next; and from the time of the same being so filed, the said road shall be a public highway, and shall be opened, repaired, and kept in order by the supervisors of the respective townships through which it shall pass, as other public roads and highways are now by law required to be opened and repaired, and to be of the width of fifty feet.

Compensation, &c. SECTION 4. That the compensation of said commissioners shall be two dollars per diem each, with a like compensation to a surveyor, if necessary, for every day necessarily employed by virtue of this act; and the accounts of said commissioners, for their own pay, and the pay of their surveyor and hands aforesaid, shall be adjusted and allowed by the commissioners of Monroe and Carbon counties, in proportion to the distance run in said counties, and paid by the treasurers thereof, by warrants drawn in the usual way; and if any vacancy shall happen in the board of commissioners, by resignation or otherwise, the remaining two shall be authorized to fill the vacancy by a suitable appointment.

SECTION 5. That it shall be the duty of the said commissioners Commissioners to to cause the said road to be opened, and put in condition for cause road to be easy traveling, and the expenses thereof shall be paid by the opened. township wherein the work is done; and the accounts of said Townships to pay commissioners, for the construction of said road, shall be settled expenses. in the same manner as the accounts of supervisors are now settled by the respective townships interested in the same.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 335.

AN ACT

To prevent the destruction of Fish in the Swatara river and its tributaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons to catch any fish Fishing with seines or nets, when prohibited. in the river Swatara and Quitapahilla creek, within the county of Lebanon, with any seine or seines, net or nets of any kind, between the first day of October and the fourth day of July.

SECTION 2. That any person offending against the provisions Penalty of this act, shall, on conviction thereof, pay a fine of ten dollars, with costs of suit, for the first offence, and twenty dollars, with like costs, for every subsequent offence, to be recovered by suit in the name of the commonwealth, before any justice of the peace having jurisdiction over the place where such offence has been committed; one-half of such fine or judgment to be for the use of the person who shall prosecute for the same, and the other half for the use of the common schools of the township where such offence shall have been committed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 336.

AN ACT

To incorporate the Wrightsville and Canadocholy Turnpike Road Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That
- Commissioners. George Miller, John Ruby, Henry Wilton, George Oberdorff, Peter Kline, Christian Burg, Henry Ruby, William M'Conkey and Peter Auble be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, with power to construct a turnpike road, beginning at the southern end of the bridge across Critz creek, in the borough of
- Route. Wrightsville, county of York; thence south-eastwardly to or near the Tidewater canal; thence along the berme bank to or near the run passing through Murphey's hollow; thence up the northern side of said run to or near the Windsor road; thence along either side of a spring branch heading on the lands belonging to John Anstein to the top of the hill; thence along a ravine, on either side, until it intersects the road leading from the Tidewater canal, in Windsor township, to Margaretta furnace, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the
- Subject to. twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine: *Provided,* That the said company shall
- Proviso. have the right to make use of any part of the public road between the points specified, and locate their road upon the ground now occupied by such road; and it shall be lawful for the court of quarter sessions of York county to appoint viewers, and vacate such parts of the public road as shall not be used or rendered useless by the said company, as is provided by the general road laws of this commonwealth in cases of roads which have become useless, and of this act, excepting that the road hereby authorized shall not be more than thirty feet in width, sixteen whereof shall be made of solid materials, and may raise or fall so as not to exceed an angle of six degrees.
- Capital stock. SECTION 2. That the capital stock of said company shall consist of one hundred shares at twenty-five dollars per share:
- Proviso. *Provided,* That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital so much as, in their opinion, may be necessary to complete the road, and to carry out the true intent and meaning of this act.
- When gates may be erected and toll taken. SECTION 3. That whenever the Wrightsville and Canadocholy turnpike road company shall have finished three miles or more of the road, the president thereof may give notice to the governor, who shall appoint, forthwith, three skillful, judicious and disinterested persons to view and examine the same, who shall report on oath or affirmation to him, whether the said road is so

far executed in a competent and workmanlike manner; and if the report shall be in the affirmative, then the governor shall, by license, under his hand and the seal of the state, permit and suffer said company to erect and fix such and so many gates across said road as will be necessary and sufficient to collect tolls, as is authorized by the act of assembly of January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 4. That if the said company shall not commence the construction of the said road within three years after the passage of this act, and complete the same within five years from the time of commencing, then this act shall be null and void, except so far as the same may be necessary to close up the affairs and pay the debts of the company. Commencement
and completion.

SECTION 5. That it shall be lawful for the said Wrightsville and Canadocholy turnpike road company (if they think it expedient) to extend and continue their road through Windsor township to the Brogue tavern, in Chanceford township, to be subject to the same rules, regulations, restrictions and penalties, and to have and to hold the same rights and privileges, as is granted in the preceding sections of this act, excepting the time for commencing the construction of the road shall be five years from the passage of this act, and complete the same within five years from the time of commencing. Authorized to
extend road.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 337.

A N A C T

Extending the general manufacturing law, for the Manufacture of Leather, in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved seventh April, one thousand eight hundred and forty-nine, and the several supplements thereto, be and the same are hereby extended*

to corporations which may be organized and established for the purposes of making and manufacturing leather, in the counties of Sullivan, Juniata, M'Kean, Tioga, Bradford, Susquehanna and Wyoming: *And provided*, That the lands held for such purpose shall not exceed three thousand acres.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 338.

A FURTHER SUPPLEMENT

To an act regulating Banks.

WHEREAS, It is provided by an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, that no person shall be eligible as a director of any bank, for more than three years in four, except the president, who shall always be eligible :

And whereas, It is provided by the second section of a supplement to said act, approved the seventh day of May, one thousand eight hundred and fifty-five, that it shall be lawful for the board of directors of any bank to elect a vice president ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the vice president of any bank shall always be eligible, as a director of such bank, in like manner as the president is eligible therefor under existing laws.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 339.

AN ACT

Supplementary to the act incorporating the Erie and Waterford Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie and Waterford plank road company be and is hereby authorized and empowered to cover the plank, or bed of their said road, with pounded stone or gravel, or other hard substance, in lieu of re-planking the same, at such points as the president and managers of said company may deem advisable.

May cover bed of road with stone or gravel.

SECTION 2. That in case the president and managers of said plank road company cannot agree with the owner or owners of land contiguous to said road, for the materials necessary to cover the plank or bed of their road, as provided for in the first section of this act, then, and in that case, the right of the company to enter upon lands contiguous and near to the said plank road, and to take such necessary materials, may from time to time be obtained by said company, under the provisions of the ninth section of the act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

Materials for covering road. relative to

Subject to

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 340.

AN ACT

To view and lay out a State Road from the borough of Lock Haven, in the county of Clinton, to Snow Shoe, in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That

Commissioners. Robert Hanna, Thomas Curtz and John Defrance, of Clinton county, be and are hereby appointed commissioners to lay out a state road, commencing at Lock Haven, in the county of Clinton, Pennsylvania; thence up Sugar run; thence by lands of John Bitner; thence by Tangaschootac coal mines; thence by Rock Cabin coal mines; thence through David's valley, on the head waters of Baker's run; thence by the nearest and most practicable route to Snow Shoe, in Centre county.

Route. **Duty of commissioners, &c.** SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, to meet on the first day of June next, or as soon thereafter as possible, and view, lay out and locate a road between said points, at the same grade as is by law provided in the case of township roads, and clearly and distinctly mark the same; after which they shall make out two correct maps or drafts thereof, and file one of the same in the office of the clerk of quarter sessions of each of said counties; whereupon said road shall become a public highway;

Drafts, relative to. and it shall be the duty of the respective supervisors to open said road, so marked as aforesaid, to the width of forty feet, and keep the same in repair, as other highways in said counties; and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine not less than fifty dollars, to be collected as other fines are collected, and the said fine shall be appropriated for the use of said road; and the justice of the peace before whom information is lodged shall have power to appoint another person in place of the supervisor refusing to perform the duties of this act, who shall be paid out of the funds set apart for the laying out and repairing roads in the township in which said person so refusing may reside.

Supervisors, duties of, &c. **Compensation—how paid.** SECTION 3. That said commissioners shall receive the sum of three dollars per day for every day they shall be necessarily engaged in the performance of their duties enjoined by this act; and the said commissioners are hereby authorized to employ one surveyor, at three dollars per day, two chain-bearers and one axeman, at one dollar and fifty cents each per day, to be paid from the treasuries of the respective counties through which the said road shall pass, on orders of the respective county commissioners, who shall adjust their accounts.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 341.

A FURTHER SUPPLEMENT

To an act incorporating the Condersport, Portage and Allegheny River Railroad Company, approved the twelfth day of April, A. D. one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the railroad authorized by the act to which this is a supplement, be and the same is hereby extended three years from the passage of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 342.

AN ACT

To better prevent the Destruction of Partridges in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person to shoot, kill, or in anywise destroy any partridge in the counties of Berks, Chester and Bucks, and city of Philadelphia, except only in the months of November and December of each year.

SECTION 2. That any person offending against the provisions of this act, shall for every such offence forfeit and pay a fine of ten dollars, to be recovered in the manner provided by the sixth section of an act, entitled "An Act for the better preservation

When partridges
may be shot or
killed.

Penalty for
offending against
this act.

LAWS OF PENNSYLVANIA,

of game and insectivorous birds," approved April twenty-first, one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 343.

A FURTHER SUPPLEMENT

To an act passed twenty-eighth of February, one thousand eight hundred and thirty-nine, incorporating the Royersford Bridge Company, and several supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the commissioners of the counties of Montgomery and Chester, shall each have the right to appoint a manager to represent their stock in the Royersford bridge company, over the river Schuylkill at Royersford, but not to appoint and vote again at the election to represent the same stock.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 344.

AN ACT

To incorporate the Philadelphia Company for the Improvement of the Drama.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James H. Laird, James M'Clintock, N. K. Moseley, J. H. Wheeler, J. L. Hutchinson, V. J. Frasier, George G. Brannan, George A. Coffee, William M. Singerly, S. J. Rea and John S. Struthers, and their associates, be and they are hereby constituted a body politic and corporate, in law and in fact, by the name, style and title of the Philadelphia company for the improvement of the drama; and by that name shall have perpetual succession, be capable of suing and being sued, to have a corporate seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy and take, in fee simple or for any less estate, or in fee with a reservation of ground rent, and in such case with power to make and execute the necessary covenants for payment thereof, such lot or lots of ground in the city of Philadelphia, as they may consider proper, for the erection and construction of a building suitable for the performance of the higher class of dramatic and musical compositions, and to build and erect thereon such buildings, with stores or other buildings in front, or upon any portion of the ground purchased by them, not used for the purpose aforesaid; or at their option to purchase and hold as aforesaid, a building already erected, and the same to add to, improve or alter. Corporators.
Style.
Powers and objects.

SECTION 2. The capital stock of the said corporation shall not exceed the sum of three hundred thousand dollars, divided into three thousand shares of the par value of one hundred dollars each. Capital stock.

SECTION 3. The said corporation shall have power to make and enact such by-laws, rules and regulations as may be necessary for the management thereof; such by-laws shall regulate and prescribe the times of annual and other meetings, the officers, and time and manner of their election, and all other matters and things necessary for the proper government of said corporation; until the first election of officers under said by-laws, the affairs of said corporation shall be managed by the persons named in the first section of this act. By-laws.

SECTION 4. The said corporation shall have power to borrow upon bonds, or other evidences of indebtedness, at such prices and rates of interest as may be deemed advisable, such sum or sums of money as may be necessary to carry out the purposes of their incorporation. May borrow money.

SECTION 5. That if the said corporation shall, at any time hereafter, misuse or abuse any of the chartered privileges hereby granted, the legislature may, at any time, resume all and Reservation.

LAWS OF PENNSYLVANIA,

singular the rights, liberties, privileges and franchises hereby granted.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 345.

AN ACT

Authorizing a change of the name, style and title of the Allegheny and Bald Eagle Railroad, Coal and Iron Company, in Centre county.

**Change of name,
style and title.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Allegheny and Bald Eagle railroad, coal and iron company, in Centre county, as fixed in the act incorporating said company, approved the twelfth day of June, one thousand eight hundred and thirty-nine, be changed and the same shall henceforth be known as the Bellefonte and Snowshoe railroad company, and in which name books shall be opened, certificates of stock issued and the business of the company conducted; and the directors shall be hereby authorized to change the common seal of said company to conform thereto.

Toll.

Repeal.

SECTION 2. That the said company be authorized to charge toll upon each passenger not exceeding an average of four cents per mile, hereby repealing acts which may be inconsistent therewith, so far as relates to the Allegheny, Bald Eagle railroad, coal and iron company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 346.

AN ACT

To change the name of Washington Carroll Tevis.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the name of Washington Carroll Tevis, lately of Philadelphia, shall be changed to Charles Carroll de Taillevis, and by that name he shall be able and capable in law to sue and be sued, grant, receive, take, inherit, manage and hold any estate, real and personal or mixed, and to do all other legal acts as effectually, to all intents and purposes, as he could have done by his former name, if no change had been made therein.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 347.

A SUPPLEMENT

To an act to incorporate the Western Transportation Company, approved March fifteenth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Western transportation company be and they are hereby authorized to increase the capital stock of the said company to twelve hundred shares, or any other number of shares not exceeding twelve hundred shares.

Authorized to increase capital stock.

SECTION 2. That the said Western transportation company is hereby authorized to borrow money and issue the bonds of said company therefor, bearing seven per centum interest: *Provided,* That the amount of money so borrowed shall not at any time exceed the amount of the capital stock paid in, and to make

May borrow money.
Provided

Proviso

provision for the payment of the principal and interest of the money so borrowed: *And provided further*, That no bond shall be issued for a less sum than one hundred dollars.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 348.

AN ACT

To prevent Hunting Deer with Dogs in Morris township, in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the first and second section of an act, entitled “An Act to prevent the hunting of deer with dogs in the townships of Shippen and Gaines, in the county of Tioga, and Donegal, Cook, Ligonier, Fairfield and St. Clair, in the county of Westmoreland,” approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby extended so as to include the township of Morris, in the county of Tioga.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 349.

AN ACT

Extending the provisions of the act of Assembly to encourage Manufacturing Operations in this Commonwealth, approved the seventh day of April, one thousand eight hundred and forty-nine, to the Manufacturing of Oils from mineral coal, within the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, approved the seventh day of April, one thousand eight hundred and forty-nine, entitled "An Act to encourage manufacturing operations in this commonwealth," be and are hereby extended to the manufacturing of oils from mineral coal, within the county of Beaver.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 350.

AN ACT

To establish a Ferry over the Allegheny river, at or near the place where the road from John Bish's, in Franklin township, crosses said river, to the Olean road, in Valley township, in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M'Connell Lemon, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the east and west sides of the Allegheny river, at and near his residence, in Valley township, Armstrong county, on the east side; and at and near the place where the public road from the house of John Bish, in Franklin township, on the west side of said river, to the Olean road, on the east side of said river, crosses the Allegheny river, in said county, and to use the said landings and said river between the same as a public ferry.

Ferry authorized

Location

To be kept in
good repair.

SECTION 2. That the said Thomas M'Connell Lemon, his heirs and assigns, for keeping up and in good repair the said landings and ferry as aforesaid, shall receive such tolls as may be fixed by the court of quarter sessions of Armstrong county, for carrying persons, carriages, teams, horses, and other animals.

Prohibition.

SECTION 3. That persons are hereby prohibited from using said river for the purpose of a ferry, two hundred yards above and two hundred yards below said ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said Thomas M'Connell Lemon, his heirs and assigns, the sum of five dollars for each and every person, team, head of cattle, horse or carriage carried over the said river within the above named bounds: *Provided*, That nothing in this act shall prevent persons owning the shore within said limits, from transporting persons and property free of charge; and the penalties herein mentioned shall be recovered before any justice of the peace, as like amounts in law are recoverable by action on debt, et cetera.

Proviso.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 351.

AN ACT

For the relief of Joseph Danfield.

WHEREAS, Joseph Danfield, of Chester county, become a cripple by getting his feet frozen whilst in the employ of the state, and under its agents, which has wholly incapacitated him for any kind of business; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and directed to pay to the said Joseph Danfield, or attorney, the sum of three hundred dollars, in full, out of moneys not otherwise appropriated.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 352.

A N A C T

Appropriating Locks numbers eight and ten of the French Creek and Franklin Line of the Pennsylvania Canal, to the use of the county of Venango.

WHEREAS, Locks numbers eight and ten of the French Creek and Franklin line of the Pennsylvania canal, in the county of Venango, in consequence of the abandonment of said canal for a number of years are utterly useless and of no public benefit, the dam being cut away and destroyed:

And whereas, There is a county bridge in the immediate vicinity, which must be re-built in a short time, and there being an abundanue of stone in said locks to re-build said bridge; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the interest of the commonwealth of, in and to the materials composing locks numbers eight and ten, on the French Creek and Franklin line of the Pennsylvania canal, be and is hereby vested in the county of Venango, for the purposes of re-building said bridge across French creek.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 353.

A S U P P L E M E N T

To an act to authorize the Town Council of the borough of Towanda to levy a special money tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the purpose of enabling the town council of said borough

Special tax au- of Towanda to provide additional fire apparatus and pay off the
 thorized to pro- existing fire scrip, said town council of the borough of Towanda,
 vide additional county of Bradford, are hereby authorized to levy and collect a
 fire apparatus. special money tax, in addition to that now authorized by law,
 not exceeding one-half cent on the dollar on the valuation as-
 sessed for county purposes upon all property, offices, professions
 and persons taxable by the laws of this commonwealth for
 county rates and levies within said borough.

Mode of collect- SECTION 2. The warrant for the collection of said special tax
 ing tax specified. shall be made out and the tax collected in the manner provided
 for the collection of borough taxes by the act of April third,
 one thousand eight hundred and fifty-one, entitled "An Act
 regulating boroughs:" *Provided*, That it shall not be deemed
 necessary to give any new notice of appeal before issuing said
 warrants.

Proviso.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one
 thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 354.

AN ACT

To incorporate the members of the Olivet Methodist Episcopal Church of
 the village of Coatesville, Chester county.

Incorporation

Style.

Powers and privi-
 leges.

SECTION 1. *Be it enacted by the Senate and House of Represen-
 tatives of the Commonwealth of Pennsylvania in General Assembly
 met, and it is hereby enacted by the authority of the same,* That
 the members of the Olivet Methodist Episcopal church of the
 village of Coatesville, in the county of Chester, citizens of this
 commonwealth, be and they are hereby created into a body poli-
 tic and corporate, in deed and in law, by the name, style and
 title of the Olivet Methodist Episcopal church of Coatesville;
 and by the same name shall have perpetual succession, and be
 able to sue and be sued, to plead and be impleaded in all courts
 of law and elsewhere; and shall be able and capable, in law, to
 take and to hold to them and their successors, for the use of the
 said church, lands and tenements, goods and chattels, of what-
 soever kind, nature or quality, real, personal or mixed, which
 now are or shall hereafter become the property of the said
 church, by gift, grant, bargain, sale, conveyance, devise, bequest
 or otherwise, from any person whomsoever capable of making

the same ; and the same to grant, bargain, sell, mortgage or dispose of, for the use of the said church : *Provided*, That the clear yearly value or income of the said estate, shall not exceed the sum of six thousand dollars, and shall not be applied to any other than religious or charitable uses or purposes.

SECTION 2. That the officers of the said corporation shall consist of nine trustees, and until an election shall be held as hereafter provided, the following named persons shall be trustees, to wit : John C. Brown, John Riday, senior, James L. Peace, John Dyson, William H. Thompson, James D. Russell, Enos S. Umstead, Washington Yates and Chauncey G. Starkwether.

SECTION 3. That on the first Monday in January, Anno Domini one thousand eight hundred and sixty, the male members of the said church, citizens of this commonwealth, of the age of twenty-one years, and members of the said church, in full connection, for the space of one year next preceding, shall elect by ballot, from among their own number, nine persons to serve as trustees, three of whom shall serve for the term of three years, three for the term of two years, and three for the term of one year ; which terms of service they shall determine by lot, at their first meeting after their election ; and on the first Monday in January in each and every year thereafter, there shall be elected as aforesaid, three persons to serve as trustees for the term of three years, in the room of those whose term of service shall then expire ; the elections for trustees shall be held in the house of worship belonging to the said church, between the hours of seven and nine o'clock, P. M., on the days aforesaid, and shall be conducted by a judge and two tellers, who shall be chosen, *viva voce*, by the male members qualified to vote at said election, who may be present at the time and place of opening the same ; public notice of every such election shall be given in the usual place of public worship of the said church, at the hour appointed for divine service, at least one week previous to the time of holding the election : *Provided*, That if, from any cause, the election of trustees should not be held at the time herein appointed, it shall be held at as early a period thereafter as practicable, of which public notice shall be given as aforesaid.

SECTION 4. That the trustees at their first stated meeting after the passage of this act, and annually at their stated meeting in the month of January thereafter, shall elect from their own number, one person to serve as president, one person as secretary, and one person as treasurer, each for the term of one year : the treasurer shall give bond for the faithful performance of his duties, in such sum as the trustees shall determine.

SECTION 5. That the stated meetings of the trustees shall be held on the first Monday in each and every month, at such hour as they shall determine ; special meetings shall be called by the president, when requested to do so by two of the trustees ; at all meetings of the trustees, a majority of the whole number shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

SECTION 6. That any vacancy in the number of the said trustees, which may occur by death, resignation, or by one of their number ceasing to be a member of the said church, shall be

Proviso.

Trustees.

Time of holding election for trustees.

Terms of service.

When elections to be held, how conducted. &c

Proviso.

Election of officers relative to

Stated meetings of trustees, when held

Vacancies how filled

filled by the election, by the remaining trustees at their next stated meeting, of a duly qualified person to serve for the remainder of the vacant term.

Real estate, relative to.

SECTION 7. That no part of the real estate now belonging to the said church, or which in any way may hereafter be acquired thereby, shall at any time be by the said trustees granted, bargained, sold, conveyed, mortgaged, or otherwise encumbered or disposed of, except by and with the advice and consent of a majority of the male members qualified to vote for trustees, who shall be present at a meeting convened for the purpose, after public notice from the pulpit on the Sabbath day.

By-laws.

SECTION 8. That the trustees shall have authority to make, publish and enforce such by-laws, rules and regulations as they may deem proper for the transaction of the business of the said church, and may make, have and use a common seal: *Provided*, That nothing in the by-laws, rules and regulations aforesaid, shall be repugnant to the constitution or laws of this commonwealth, or to the provisions of this act.

Proviso

Ministers or preachers, relative to spiritual functions.

SECTION 9. That the ministers or preachers who may from time to time be appointed to the pastoral charge of the Olivet Methodist Episcopal church of Coatesville, according to the rules and usages of the Methodist Episcopal church in the United States, shall at all times be permitted to exercise their spiritual functions according to the said rules and usages in the house or houses of worship belonging to the said church; and nothing herein provided shall at any time be taken or construed in opposition to the discipline established by the general conference of the Methodist Episcopal church in the United States.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 355.

A SUPPLEMENT

To an act, entitled “An Act relating to the Authentication of Letters of Attorney, Protests of Notaries Public, and Assignments made out of the State, and to the Acknowledgment of Deeds,” approved the fourteenth day of December, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

all ambassadors, ministers plenipotentiary, charges d'affaires or other persons exercising public ministerial functions, duly appointed by the United States of America, shall have full power and authority to take all acknowledgments and proofs of any deeds, conveyances, settlements, mortgages, agreements, powers of attorney, or other instruments under seal relating to real or personal estate, made or executed in any foreign country or state, by any person or persons, or by husband and wife, in the manner and according to the forms required by the laws of this commonwealth, and to administer all oaths or affirmations necessary or required for the purposes aforesaid; and that all acknowledgments and proofs heretofore made by any or either of the persons aforesaid, before any of the officers aforesaid, in the manner and according to the forms aforesaid, are hereby ratified and confirmed, and the same, and the records of the instruments aforesaid, if the said instruments have been heretofore recorded, are declared to be as valid and effectual as if the said acknowledgments, proofs and records had been respectively made, taken and recorded under the provisions hereof.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 356.

AN ACT

To incorporate the Northern Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ferdinand Geisler, Jacob Lentz, John Major, William Geisler, Warren W. Wilbur, C. B. Address, Henry Mather, James M. Gibson, Francis M'Manus, Hugh Barr, John Landenberger, John Zoll, Peter Smith, James Price, Benjamin Seltzer, Conrad Lutz, Henry Fisher, William T. Blackman, James Martin, Jacob Christian, Robert M'Cay, Jr., Harman Yerkes and Charles Kirk, of Bucks county; Robert Morris, Samuel Sparhawk, William Maule, Joseph R. Flanigen, Thomas S. Cox, Edward Roberts, Daniel Carr, B. T. Hallowell, Isaac Langerbartel, David R. Garrison, Philip Mixell, John Mooney, James B. Doyle, George W.

Mooney, James S. Chambers, and their associates and all persons who may now or hereafter be holders of the stock hereafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Northern market company, with a capital stock of four hundred thousand dollars, divided into eight thousand shares of fifty dollars each; and the said Northern market company shall have and enjoy all the rights and privileges and immunities, and be subject to all the liabilities and restrictions contained in an act to incorporate the Eastern market company of Philadelphia, approved February the eighteenth, one thousand eight hundred and fifty-nine, not inconsistent with this act: *Provided*, That the said Northern market company shall be located north of Market street and east of Broad street, in the city of Philadelphia: *Provided further*, That the said corporation shall have no power to prohibit or restrict, by any by-law, rule or regulation, any person who shall rent or occupy a stall in any such market building, from exposing to sale and selling at said stall, in such quantities as he may deem proper, any article of produce raised, manufactured or prepared on his farm or premises.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 357.

AN ACT

To incorporate the Delaware County Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That

Commissioners.	James Miller, James P. Afflick, A. Lewis Smith, E. Spencer Miller, John Sellers, Jr., Edward Garrett, Joseph Powell, Abraham L. Pennock, William Johnson and Dellaplain R. Smith be
Name.	and they are constituted and appointed commissioners to organize an incorporated company, by the name of the Delaware County Passenger railroad company, with power to lay and construct a railway, of the same gauge as the present passenger railway in the city of Philadelphia, with double or single track,
Route.	connecting with the West Philadelphia Passenger railway, on

Market street, at or near the western terminus thereof on said street, and extending westwardly along said Market street to the West Chester plank road, and along said plank road as far, from time to time, as the public convenience may require or the public use may justify: *Provided however,* That before the said West Chester plank road shall be used for said purpose, the assent of said company shall be had and obtained, and that said railroad may be laid or constructed on said plank road at its present grade. Proviso.

SECTION 2. That the capital stock of said incorporation shall consist of three thousand shares, but may be increased from time to time by a majority of the stockholders present at any meeting for that purpose, duly called, to such an extent as may be necessary for the purposes and objects of the said incorporation; and that said incorporation shall have power to borrow from time to time, upon bond or bond and mortgage, at such prices and at such rates of interest, not exceeding eight per centum per annum, as it may be deemed advisable, such sum or sums as may be found necessary for the construction and completion, furnishing, stocking, equipment and maintenance of said railroad, for its purposes and objects in this act intended. Capital stock.
May borrow money, &c.

SECTION 3. That the cars of said company shall have at all times the right of way upon the track or tracks constructed or laid by them; and any person or persons who shall wilfully obstruct or impede, or cause to be obstructed or impeded, the passage of said cars along said road, he, she or they shall be fined for each offence the sum of not less than five dollars nor more than ten dollars, to be collected as fines of like amount are now by law recoverable. Penalty for obstructing tracks.

SECTION 4. That said incorporation shall be organized as specified by an act, entitled "An Act regulating railroad companies," passed February nineteenth, one thousand eight hundred and forty-nine, and the several supplements thereto; and when organized, shall be governed and regulated by the provisions thereof, in all respects, so far as said provisions are applicable thereto. Subject to

SECTION 5. That said company be authorized to extend their said railroad upon and over the Garretford plank road, to connect with said West Chester plank road, at its present grade, for such a distance as may be justified or required by the public use and convenience: *Provided however,* That the consent of said Garretford plank road company be first had and obtained. Authorized to extend road, &c.
Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 358.

A N A C T

To incorporate the Anderson Creek Public Road and Navigation Company.

Commissioners. **Style.** **Route.** **Subject to.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Patten, Benjamin Hartshorn, James Spencer, Samuel Arnold, David Dressler, William F. Johnston, David Kirk, Wilson Moore and William M'Bride, or a majority of them, all of the county of Clearfield, and state of Pennsylvania, are hereby appointed commissioners to do and perform the several things hereinafter provided for, viz: To open books, receive subscriptions, and organize a company by the name, style and title of the Anderson's Creek public road and navigation company, with power to construct a public road from the mouth of Anderson's creek up said creek, by the best and most convenient route, as far as Moore's mill, on the main branch, and as far as David Irvin's mill, on the other branch, all of which will be in the county of Clearfield; and in relation to the organization of said company, it shall be subject to all the restrictions, and have all of the powers contained in the first, second, third, fourth, fifth, sixth, seventh, eighth and nineteenth sections of the act, entitled "An Act regulating turnpike and plank road companies," passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, so far as the same are not inconsistent with the following provisions of this act.

Capital stock. SECTION 2. That the capital stock of said company shall consist of two hundred and fifty shares of twenty dollars each.

SECTION 3. That said company shall have the privilege of using and occupying twenty-five feet on each side of the centre line of said road; but shall not be compelled to open, for use, more than twelve feet wide of the same.

Powers. SECTION 4. That said company shall have full power to enter upon and improve the ascending navigation of Anderson's creek, by cutting away and clearing out of the bed of the stream, at least once in each year, all of the brush, timber, trees, roots, et cetera, so that saw logs and square timber may be floated down said stream as far up as the upper terminus of said road above mentioned.

May enter upon adjacent lands for materials, &c. **Payment of materials, relative to.** SECTION 5. That for the purpose of locating and constructing said road, and of improving the bed of the stream, the company are authorized to enter upon the land adjacent thereto, and take wood, gravel and other materials necessary for that purpose, doing no unnecessary damage to private property, and subject to the payment for such materials as provided for by the general road laws, namely, the act approved the twenty-sixth January, one thousand eight hundred and forty-nine.

Tolls. SECTION 6. That as soon as said road shall be opened ready for traveling, the company are hereby authorized to ask, demand and receive the following tolls for the use of said road, to wit:

Twenty cents per thousand for shingles, twenty-five cents per thousand for boards, inch measure, and eight dollars for every raft of square timber, not exceeding in quantity six thousand cubic feet, hauled over said road, or over any part of it; and for all other kinds of traveling on said road, the same rates of toll as the Susquehanna and Waterford turnpike road company were allowed to charge by their original charter.

SECTION 7. That the said company shall have a right to demand and receive from any and every person using the said stream, for the purpose of running or floating lumber across its waters, the sum of twenty cents per thousand, board measure, for all lumber put in said stream; the company may, at their option, demand in advance the payment of said toll, or security for the same, and in all cases where they do so, the persons from whom such demand is made, shall be considered and treated as trespassers, if they use or attempt to use said stream without first paying or securing, to the satisfaction of the company, the toll so demanded. Amount to be received for floating lumber, &c.

SECTION 8. That the said company may require from the persons using said stream, a statement of the amount of lumber put in the stream to be floated down; and the said persons are hereby required within ten days after such demand, to furnish such statement; on failure to furnish said statement, or upon said statement when furnished being shown to be wilfully wrong, it shall be lawful for the company to recover treble the amount of tolls authorized by this act, for the actual amount of lumber put in the stream. May require statement of amount of lumber to be floated, &c.

SECTION 9. That the said company shall have power to sue for and recover tolls authorized by this act, as debts of like amount are now recoverable by law. Power to recover tolls.

SECTION 10. That all tolls for the use of the navigation, shall be payable, if no demand for the same be made in advance, to the treasurer at his office, in the borough of Curwinsville, within ten days after the lumber shall have been started in said stream, and on failure to make such payment, the party in default shall forfeit and pay double the usual rates of toll. Tolls, how payable.

SECTION 11. That in all judgments rendered for toll under this act, the defendant shall not be entitled to the benefit of the act of ninth of April, one thousand eight hundred and forty-nine. Judgment for toll, relative to.

SECTION 12. That any person or persons wilfully obstructing, in any manner, said road or stream, after either shall have been opened, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined and imprisoned, at the discretion of the court. Penalty for obstructing stream.

SECTION 13. That the annual meeting of said company for the purpose of electing officers, shall be on the first Monday in July of each year, and the board of officers first elected shall only hold their offices until the first succeeding annual meeting. Annual meetings, when held.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 359.

A N A C T

Requiring Railroad Companies to make uniform reports to the Auditor General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general of this commonwealth be and is hereby directed to make out and cause to be printed a blank form for the annual reports of the several railroad corporations of this state, referred to in the second section of this act; and the said auditor general shall forward, by mail or otherwise, on or before the first day of October in each year, to each of the said corporations, copies of the said form; and when the same shall have been received from the several railroad companies, he shall cause them to be filed in his office, copies of which shall be transmitted to both branches of the legislature, on or before the fifteenth day of January in each year.

Auditor general to furnish blank form to certain railroad companies, &c.

To be transmitted to the legislature.

Railroad corporations to make annual report to auditor general.

SECTION 2. That it is hereby made the duty of each railroad corporation whose road lies in whole or in part within the limits of this state, to make out and return to the auditor general an annual report according to a form to be prescribed by the said auditor general, embracing in detail the operations and affairs of the said corporation during the preceding year, up to and including the thirtieth day of October, and such other information as the said auditor general shall direct; said report to be attested by the oath or affirmation of the president or acting superintendent and the treasurer of the company, and to be forwarded to the auditor general, on or before the first day of December in each year.

Penalty for refusing or neglecting to make report.

SECTION 3. That every such railroad corporation, which shall refuse or neglect to make such report as before provided, shall be liable to a penalty of five thousand dollars, to the use of the commonwealth, for every such refusal or neglect, to be sued for and recovered as debts of like amount are or may be by law recoverable.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 360.

A N A C T

Relating to the Records of Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prothonotary and clerks of the several courts of Union county, be and are hereby required to keep a full and complete index at the beginning or end of each record book, so as to afford an easy and ready reference to all matters contained therein, in addition to the separate index books.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 361.

A S U P P L E M E N T

To an act to give jurisdiction in equity to the Supreme Court and the Court of Common Pleas for the county of Philadelphia, in cases of disputed boundaries, approved on the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the jurisdiction and powers given by the act to which this act is a supplement, to the courts therein named, shall extend to and embrace the ascertainment and adjustment of disputed boundaries between adjoining and neighboring lands in the county of Philadelphia, where such boundaries are or shall have become confused or rendered uncertain, either by lapse of time, by natural causes, or by the act, neglect or default of any present or former owner or occupant thereof.

Certain act relative to equity cases extended.

SECTION 2. That if, upon bill filed in any such case, it shall appear that the whole or any part of the lands mentioned in

Power of court to decree partition in certain cases.

Proviso.

such bill have or has never been actually parted or divided, the court shall, without dismissing the bill, proceed thereupon to decree partition of such undivided land between the parties to the suit, according to their just rights and the law and practice of courts of equity of this commonwealth: *Provided*, That before any such decree of partition shall be made, all persons who shall appear to have title to the land shall be made parties to the suit.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 362.

AN ACT

Authorizing the appointment of a Measurer of Paving Stone.

Mayor to appoint
measurer of paving
stone.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor of the city of Philadelphia shall be and is hereby authorized and required, within one month from and after the passage of this act, and every second year thereafter, to appoint a suitable person to be a measurer of paving stone in the city of Philadelphia, for the term of two years next ensuing his appointment, and until his successor shall be appointed and qualified.

Duties of measurer
and deputies.

SECTION 2. That every person appointed as aforesaid, to the office of measurer, and also every deputy of such person, shall, before he enter upon the duties of his office, take and subscribe an oath or affirmation before some person having authority to administer oaths, to support the constitution of the United States and the constitution of this commonwealth, and to perform the duties of his said office with fidelity; which oath or affirmation he shall cause to be filed among the records of the court of quarter sessions of the city and county of Philadelphia; and every measurer appointed as aforesaid, may, from time to time, appoint one or more deputies, to assist him in the performance of the duties of his office, and the same remove at pleasure.

All paving stone
landed in the city
to be measured.

SECTION 3. That all paving stone landed and sold in the city of Philadelphia, after a measurer appointed in pursuance of the

provisions of this act, shall have entered upon the duties of his office, shall be measured by the measurer so appointed, or his deputy; and any person or persons carting away or removing, or causing to be carted or removed from the place of landing, any paving stone not having been measured by an officer appointed under the provisions of this act, such person or persons shall forfeit and pay five dollars for each and every team or cart load so taken or removed, recoverable with costs, in the name of the commonwealth, as debts of like amount are by law recoverable; one-half thereof for the use of the informer, and the other half to the use of the commonwealth. Penalty.

SECTION 4. That it shall be the duty of every such measurer, when thereunto required, to go himself or send some deputy to measure any paving stone landed in the city of Philadelphia; and if any such measurer shall refuse or neglect to cause to be measured any paving stone required by this act to be measured, for a time exceeding twenty-four hours after he shall have been requested to measure the same, by the purchaser thereof, he shall forfeit and pay to the owner thereof five dollars for each and every boat load of paving stone, for each and every day he shall omit or delay to measure the same, over and above the twenty-four hours aforesaid; and any purchaser of paving stone neglecting or refusing to cart away or remove from the place of landing any boat load of paving stone, within twelve working hours after commencing so to do, shall forfeit and pay to the measurer the sum of five dollars for each and every day he or they shall so neglect or refuse to remove the same, over and above the twelve hours aforesaid, in addition to the amount allowed him by this act, for the measurement of the same, to be recovered as debts of like amount are by law recoverable. Further duties of measurer.
Penalty.

SECTION 5. That thirty-three cubic feet, without packing, shall be deemed and taken to be a cart or team load of paving stone; and it shall be the duty of the measurer, or his deputy, to be present at the loading of all teams or carts, carting or hauling paving stone in the city of Philadelphia, for the purpose of ascertaining that no greater quantity than thirty-three cubic feet is taken, or placed upon any cart or team at any load; and any person or persons taking, or causing to be taken, or shall pack, or in any manner endeavor to obtain a greater quantity than he or they are justly entitled to, or if the measurer, or his deputy, wilfully permit any person or persons to take any greater quantity than he or they are justly entitled to, each person so offending shall forfeit and pay the sum of twenty-five dollars for each and every offence, to be recovered, with costs, as debts of like amount are by law recoverable, one-half thereof for the use of the informer, and the other half to the use of the commonwealth. Number of cubic feet deemed to be a load, &c.
Penalty.

SECTION 6. That it shall be the duty of the measurer to keep a just and true account of the number of cart or team loads in each boat load of paving stone measured, and to give to any party interested therein, a certificate of the number of team or cart loads contained in each boat load, after the amount due him for the measuring of the same shall have been paid. Further duty of measurer.

SECTION 7. That the person appointed to the office of measurer as aforesaid, shall keep an office open during the usual business hours, at some convenient place within one mile of the court Office of measurer, relative to

house in said city; and in case of a vacancy in said office by death or resignation, or otherwise, the mayor shall appoint another person in his stead, who shall perform all the duties, have all the rights, and be subject to all the penalties and provisions of this act for the remainder of the term so vacated.

Compensation or
fees of measurer,
how paid, &c.

SECTION 8. That every such measurer shall be entitled to receive as compensation, or fee for his services, ten cents for each and every cart or team load of paving stone, carted or removed under the notice, view, or measurement of him, or his deputy, one-half of which sum shall be paid by the buyer, and the other half by the seller; and should the purchaser of any paving stone request the inspection of the same as to quality, it shall be the duty of the measurer to cause such paving stone to be so inspected, for which inspection he shall be entitled to receive the further sum of two cents for each and every cart or team load inspected, which sum shall be paid by the purchaser; and in case of the payment of the whole of the aforesaid sum or fee of ten cents per team or cart load being paid by the purchaser, one-half thereof shall be a set off against the seller for so much of the purchase money; and if the whole of said sum or fee be paid by the seller, he shall be entitled to receive the half thereof from the purchaser, and may sue for and recover the same as part of the purchase money.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 363.

A N A C T

Authorizing the Supervisors of Wetmore township, M'Kean county, to lay out and build a road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of Wetmore township, M'Kean county, are hereby authorized and empowered, at the cost and expense of said township, to lay out and build a road from such point in said township as they may select, to the Warren and Ridgway turnpike road; and they may also file a draft of the same in the proper courts; and said drafts, and the record thereof, shall have*

the same force and effect as though laid out and authorized by the legal authorities, and approved by the court; and said road, when laid out, shall be deemed a public road.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 364.

A N A C T

Relative to incorporated Cemetery Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any lot or lots, or the right of sepulture therein, shall be granted to any person or family by any incorporated cemetery company, or church, or religious congregation, within any common inclosure made by such company, church or congregation, as and for the purpose of the perpetual burial of the dead, every and all lots so disposed of or used for burial shall hereafter be free and exempt from all taxation, so long as the same shall be used or held only for the purpose of sepulture.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 365.

A N A C T

To amend the act regulating boroughs, approved April third, A. D. one thousand eight hundred and fifty-one, so far as relates to Edinboro', in the county of Erie.

Levying and collection of borough tax, relative to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That division twenty-fourth, of section second, of an act regulating boroughs, approved April third, one thousand eight hundred and fifty-one, be and the same hereby is amended, as far as relates to the borough of Edinboro', in the county of Erie, so that in lieu of the one-half cent on the dollar authorized to be levied for borough purposes, it shall and may be lawful for the burgess and town council of the borough of Edinboro', to levy and collect, annually, for a period of two years, for borough purposes, any amount of tax they, or a majority of them, may deem necessary, not exceeding one per cent. on the dollar on the valuation assessed for county purposes, as now is, or may be provided by law on all property, offices, professions and persons made taxable by the laws of this commonwealth for county rates and levies, shall be taxable after the same manner for borough purposes.

Ordinances, relative to publishing of.

SECTION 2. That in lieu of publishing ordinances in at least one newspaper, and by not less than twelve advertisements put up in the most public places in the borough, as is required by section third of said act, it shall and may be a lawful publication of any ordinance, regulation or enactment of the burgess and town council of Edinboro', to publish the same by not less than three advertisements, to be put up in the most public places in the borough, at least ten days before the same shall take effect

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 366.

A N A C T

To prevent the gathering or picking of Cranberries in Tunkhannock township, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons to gather or pick cranberries in any of the cranberry marshes in the said township of Tunkhannock, Monroe county, on or before the 20th day of September of each year. Gathering cranberries prohibited before certain date.

SECTION 2. Any person or persons offending against the provisions of this act shall, upon conviction thereof before any justice of the peace in the county of Monroe, forfeit and pay a fine of ten dollars, the same to be collected as other debts before a justice of the peace, one-half to be paid in the school treasury, to be applied for school purposes of said township of Tunkhannock, and the other half to be paid to the informer: *Provided*, The prosecution be instituted in thirty days; or in default of the payment thereof, to undergo an imprisonment in the county jail of Monroe county for a term not exceeding thirty days. Penalty. Provide

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 367.

A N A C T

To incorporate the Philadelphia Ocean Steamship Company.

WHEREAS, It is manifest that regular ocean steamship communication with foreign ports will afford the only means for enlarging the export and concentrating the import trade of the city of Philadelphia, and is, therefore, indispensable to her com- Preamble

mercial prosperity, and that by the successful pursuit of foreign commerce, the agricultural, manufacturing and mining interests of the state must be greatly benefitted, and the business of the interior railroad and transportation companies greatly increased:

And whereas, The permanent establishment of a properly constructed line of ocean steamers, will require the employment of large amounts of capital beyond the ability of individual citizens; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. Morris Waln, Charles Henry Fisher, Joseph Harrison, Jr., James Steel, M. L. Hallowell, J. B. Baker, John B. Myers, William C. Patterson, Henry Budd, William Welsh, Hugh Craig, John G. Brenner, George K. Ziegler, David Jayne, Henry Winsor, Wescot Bailey, Archibald Getty, James Barrett, Sr., E. G. James, Robert Ewing, F. M. Drexell, John W. Forney, Morton M'Michael, Howard Hinchman, Thomas Webster, Samuel L. Witmer, S. S. Bishop, shall be and they are hereby appointed commissioners for the purposes hereinafter mentioned; that is to say, they or a majority of them, after giving ten days' notice in two or more newspapers published in the city of Philadelphia, of the time and place, shall open and keep open suitable books, and receive subscriptions to the capital stock of said company, and the form of such subscriptions shall be as follows: We whose names are hereunto subscribed, do severally promise to pay to the Philadelphia Ocean steamship company, the sum of one hundred dollars for each share of stock set opposite our names, at such times and in such instalments as the managers of said company may hereafter require; and each of said persons at the time of subscribing, shall pay ten dollars upon each share of stock so by them subscribed; and so soon as one thousand shares of said capital stock shall have been subscribed, the commissioners, or a majority of them, shall certify the same to the governor; whereupon, the governor shall by letters patent, and under the seal of the commonwealth, create, establish and constitute the subscribers, and those who may thereafter subscribe, and their successors, a body corporate and politic, by name and style, the Philadelphia Ocean steamship company, and by the said name and style shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, and have the power to construct, buy, contract, purchase, receive, possess, employ, charter and dispose of ships and vessels, with their appurtenances, and the steam engines and other machinery necessary and proper for the propulsion and navigation thereof, and to hold and use all necessary and convenient easements for the landing, unloading, receiving and delivering merchandize transported, or to be transported in such ships and vessels so to be customarily navigated by steam; and further, shall have all such other rights and powers as may be properly incident to corporations having for their object the navigation of the ocean, bays and rivers by steam power, and the transportation of goods, wares and merchandize, and the conveyance of passengers and mails by means of such navigation to and from the city of Philadelphia: *Provided however,*

Commissioners.

Duties of commissioners relative to opening books, &c.

Letters patent.

Style.

Powers and objects

Proviso.

That nothing herein contained shall be construed to confer on the said corporation, any banking or mining privileges, or the right to hold any real estate, other than docks, piers, wharves, offices and store-houses necessary for the transaction of the business of said company: *And provided also*, That said company Proviso. shall not engage in conveyance of passengers, or the transportation of merchandize to and from Philadelphia, and any other point on the Delaware river and bay, excepting when delayed or obstructed by natural or accidental causes in making voyages to and from the city of Philadelphia.

SECTION 2. That the stockholders of said company, when duly Election of man- incorporated, shall meet at a place designated by a majority of agers. said commissioners, and within fifteen days after letters patent have issued, and elect by ballot five managers, who shall hold their office until the first Monday in February, Anno Domini Annual meeting. one thousand eight hundred and sixty, and until their successors shall have been duly elected and qualified; and on the said first Monday in February, Anno Domini one thousand eight hundred and sixty, and annually thereafter on the day aforesaid, the said stockholders shall elect by ballot, five managers, who shall hold their office for the term of one year; but if in the event that no election of managers shall take place, when by this act it ought to take place, the said corporation shall not from that cause be dissolved, but the said election shall be held at such time as a majority of the stockholders present may determine; and at the same place and time there shall be elected by the stockholders, a fit and suitable person, who shall be styled the secretary of the said company. No person shall vote Votes. by proxy, except such as are not residents of the city, nor shall any person, firm or corporation, be entitled to more than one-sixth of the whole number of votes to which the holders of all the shares would be entitled. No person shall be eligible for manager, unless he shall hold in his own right, or in the right of the firm of which he is a member, at least five shares of the capital stock.

SECTION 3. That the commissioners, or a majority of them, Proceedings of shall sign the records of their proceedings after the election of managers, rela- officers as aforesaid, and shall then pay over to the managers, tive to. or to such person as they may select to act as treasurer, all moneys received by them on account of shares sold, deducting therefrom all proper expenses incurred in the performance of their duties; also all the books of subscription and other records of their actings and doings in the premises, and thenceforth be discharged.

SECTION 4. That the managers elected as aforesaid, shall, with- Election of offi- out delay organize by the election of one of their number to cers. the office of president of the company, and the appointment of the secretary elected by the stockholders, to be their secretary; and thereupon to select some suitable person to act as treasurer of said company, and some experienced and proper person as agent of said company; and said managers may from time to time appoint such other officers or agents as in their opinion the business of said company may require, to fix their salaries, and Salaries. require from every appointee good and sufficient bonds, in such amounts as to them shall seem proper, conditioned for the faith-

Officers to give bonds.	ful performance of their respective duties ; all said bonds to be approved and filed with the secretary ; and they shall be required to frame such by-laws, rules and regulations as to them seem proper for the well ordering the affairs of said company, not inconsistent with the laws of the state and of the United States, and report the same to the first annual meeting of the stockholders for their action ; they may fill vacancies in their own body or in the office of president ; they shall have power to call in and collect all subscriptions to the capital stock, fixing the amount of such instalment and the time of payment, and take new subscriptions, not to exceed in all ten thousand shares, unless by the consent of a majority of two-thirds of the stockholders first had at an annual meeting, and after notice to that effect has been published daily, in two or more newspapers issued in the city of Philadelphia, at least three months prior to the said annual meeting, at which a proposed increase of shares is to be passed upon ; but at such annual meetings not more than five thousand new shares shall be authorized, and the said capital stock shall never exceed thirty thousand shares ; and the
Vacancies, how filled.	
Capital stock, relative to.	
Increase of shares, relative to.	
Duties and powers of managers.	said managers shall cause proper books to be prepared, in which shall be entered all the transactions of the company, and especially separate accounts of each vessel employed, showing a full and perfect history of each trip made by each of said vessels ; they shall also have power to contract for, and have constructed, one or more steamships ; shall have power to charter steamships belonging to other parties, for the use of said company, and charter and otherwise dispose of vessels, and their appurtenances, belonging to the company ; and may purchase or lease and sub-let, occupy and possess such real estate, wharves, piers or docks and store houses, as may be necessary for the uses of said company ; but it shall not be lawful for the said managers, at any time, to contract debts exceeding, in amount, the one-half of the capital stock actually paid in and subscribed for in good faith by reputable and responsible parties ; any violation of the last cause of this section shall work a forfeiture of this charter ; and in such case the managers, or so many of them as shall not have declared their dissent in writing on the minutes of the board, to the contracting of such debts, shall be personally liable in law for the debts and liabilities of the company, contracted after the whole indebtedness of the company equalled one-half of the capital stock actually paid and subscribed for as aforesaid.
Transfer of stock.	SECTION 5. That the shares of stock shall be numbered from one progressively, and shall only be transferred on the books in person, or by power of attorney duly authenticated, and in the presence of the president or the treasurer, the former certificate to be given up and cancelled, and a new one issued therefor ; but no share shall be transferable upon which a called instalment is past due, nor shall the holder of such share be entitled to vote ; and if any instalment shall remain due on any share or shares, for the space of six months after the same has been required to be paid, the managers shall have power, after giving thirty days' public or private notice, in writing or in print, of their intentions so to do, to the person or persons in whose name the said share or shares may stand on the books of the company, declare the
Unpaid instalments, relative to.	

said share or shares forfeited to the use of the company ; or they may sue for and recover for the use of the company the amount of all such remaining instalments, with interest, at the rate of six per centum per annum, from the time the same became due and payable, together with costs of suit.

SECTION 6. That dividends of so much of the profits of the said Philadelphia Ocean steamship company as shall appear advisable to the managers, shall be declared and paid to the stockholders at least once in each year, in such manner as shall be provided by the by-laws of said company, but they shall in no case exceed the amount of net profits actually made and acquired, after deducting all losses and expenses ; and if the said managers shall declare and pay any dividend by which the capital stock of said company shall be impaired, they shall be jointly and severally liable for so much of the capital stock as may be thus impaired and divided, which shall be recoverable by any party aggrieved or injured, in an action recoverable for debt in other cases. Dividends.

SECTION 7. That it shall be the duty of the president and treasurer of said corporation, between the fifteenth and thirtieth days of January in each year, to make out and transmit, duly verified by their oath or affirmations, a full account and balance sheet of the affairs of the corporation, particularly setting forth the amount of capital stock actually paid in and held by individual or corporate stockholders, the actual cash value, as near as the same can be ascertained, of all the property and assets belonging to the corporation, and the aggregate amount of all its debts and liabilities, and the amount of dividends declared by the corporation during the preceding year. President and treasurer to make out annual statement.

SECTION 8. That on or before the thirtieth day of January in every year, it shall be the duty of the treasurer of the said corporation to transmit to the treasury of the commonwealth, out of the funds of the corporation, a sum equal to one-half mill on each one per centum of the dividends and profits declared and paid by the said corporation during the year next preceding ; and if such treasurer shall neglect or refuse to pay the tax hereby imposed, in such case the managers and treasurer for the time being shall be jointly and severally liable, as individuals, for the payment thereof ; and the same may be sued for and recovered under the direction of the state treasurer, as debts of like amount are recoverable against the estate and effects of the said corporation, as of the officers thereof. Per centage on dividends to be transmitted annually to state treasury.

SECTION 9. That the legislature reserves the right to alter or repeal any part of this charter, if it be necessary to the interests of the commonwealth: *Provided*, That in so doing no injustice be done to the stockholders. Reservation

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 368.

A N A C T

Relating to the Trevorton Coal and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the stockholders of the Trevorton coal and railroad company, at their next stated annual meeting and election, and at each stated annual meeting and election thereafter, to elect, in the manner and in lieu of the number prescribed by law, nine duly qualified directors, (one of whom shall also be designated and elected as president.)*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 369.

A S U P P L E M E N T

To the act incorporating the Farmers' Mutual Fire Insurance Company of Harbor Creek township, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Farmers' mutual fire insurance company of Harbor Creek township, in the county of Erie, be and they are hereby authorized to change their office, or place of doing business, from Harbor Creek township, in said county, to the city of Erie, and shall have the same right and power to transact all business of said company in the said city of Erie, as they now have in the township of Harbor Creek.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 370.

AN ACT

Supplementary to an act to incorporate the Chestnut Hill and Cheltenham Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Chestnut Hill and Cheltenham railroad company be and are hereby authorized to extend their road from or near Edge hill to the Norristown railroad, with the privilege of connecting with, or of purchasing the Plymouth railroad, with all the rights and franchises thereto belonging, and also the stock and loans standing on the books of the company owning said road, and of receiving a transfer of the same, with the privilege of adopting and using the said railroad, or any part thereof, as part of the road herein authorized to be made and constructed; and the president and managers of the Plymouth railroad company, with the assent, in writing, of so many of the stockholders and loanholders as own three-fourths of the stock and three-fourths of the loan, are hereby empowered to sell and transfer said railroad, with all its rights and franchises, to the Chestnut Hill and Cheltenham railroad company.

Authorized to extend road and purchase Plymouth railroad

SECTION 2. That the directors of the said company may borrow to an amount not exceeding two hundred thousand dollars, in the manner prescribed, and subject to the restrictions and conditions of the fourth section of the act to which this is a supplement.

May borrow money. Subject to

SECTION 3. That all railroad companies may subscribe to the capital stock, or purchase the bonds of the aforesaid company; and all companies subscribing to the stock shall be placed upon an equality, in regard the choice of president and directors, with individuals subscribing to the stock.

Railroad companies authorized to subscribe to stock.

SECTION 4. That any railroad company with whose road the Chestnut Hill and Cheltenham railroad may connect, is hereby authorized to run and operate the said road, on such terms as may be agreed upon by the president and directors of the respective companies.

Relative to running and operating road

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 371.

A SUPPLEMENT

To an act incorporating the Conestogo and Beaver Valley Turnpike Road Company, and the supplement thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of an act, entitled "An Act to incorporate the Beaver Valley turnpike road company," passed March twenty-seventh, one thousand eight hundred and fifty-five, and the supplement thereto, passed March twenty-sixth, one thousand eight hundred and fifty-six, as empowers and relates to the locating, constructing or building a turnpike road between the Strasburg and Blue Rock road, near the Big Spring, in West Lampeter township, and the Main street at the public house of John Tweed, in the village of New Providence, mentioned in said acts as the terminus of said road, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 372.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a company to make a Lock Navigation on the river Schuylkill, passed the eighth day of March, one thousand eight hundred and fifteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this further supplement, the president, managers, and company of the Schuylkill navigation company shall have power to contract for the transportation of anthracite coal, and other articles, upon their navigation, and to

and from points beyond the same, and to include the charge for such transportation in their charge for tolls.

SECTION 2. That all the powers, rights and privileges given to the said company, by the supplements to the aforementioned acts, approved respectively on the fourteenth day of December, one thousand eight hundred and twenty-nine, and on the twenty-seventh day of April, one thousand eight hundred and forty-four, be and the same are hereby continued and extended for a period of fifteen years, to be computed from the eighth day of March, one thousand eight hundred and sixty. Extension of
privileges.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 373.

A N A C T

To incorporate the Union Evangelical Lutheran Congregation of the borough of York.

WHEREAS, Many persons of the different Lutheran churches of the borough of York, and vicinity, in the county of York, and state of Pennsylvania, hereinafter named, for various considerations are about to associate themselves together, and are desirous to be invested with, and exercise the corporate powers and immunities of a body politic, or corporation in law, for the design of buying a lot or piece of ground, and erecting a church edifice thereupon, in the western district of the borough of York, county and state aforesaid, according to the sections hereunto attached; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jacob Herman, Adam Smyser, Michael Smyser, (of Peter,) Peter Lint, David Jameson, Michael Kraber, Andrew Gressly, John Winter, Martin Ebert, George Leitner, E. C. Bender, Charles Leitner, Charles Soldner, Michael Ebert, Christian Bender, Wm. Kraber, Charles Epley, John Meyers, E. C. Lanman, Joseph Smyser, John Craver, Samuel Smyser, John Immell, John Wau-
Corporators.
 baugh, Jacob Kessler, Peter Swartz, John Weyer, John Kraber, C. J. Deininger, Michael Smyser, Philip Eichelberger, Alexander Smyser, George Smyser, Frederick Schriver, Peter B. Heindel, Elias Ebert, Jacob Brillinger, J. F. Yingling, Charles E. Smys-

ser, Emanuel Frey, Jesse Weyer, Peter Keshel, Henry Ebert, Samuel Schriver, Gotleib Rebman, Jacob Rebman, Daniel Diehl and Adam Herman, and all others that may hereafter attach themselves as members, and their successors, be and they are hereby created one corporation and body politic in law, by the name, style and title of the Union Evangelical Lutheran congregation of the borough of York.

Style.

Powers

SECTION 2. That the said congregation shall have continual succession, and be clothed with the power of receiving, buying, occupying, disposing, letting, transferring, enfeoffing, arranging, building and repairing all property, real, personal or mixed whatsoever, by purchase, bequeath, donation or subscription, or any other equitable and legal manner whatsoever, which now may be or hereafter become the property of the said congregation, and forever defend, sue and be sued, prosecute and be prosecuted in equity and law, in all courts here and elsewhere, for the benefit of said congregation; and any person or persons who shall be invested or authorized to grant, bargain, sell, mortgage or dispose of, for the benefit of said congregation, for purchasing or erecting any buildings for divine worship, or for a parsonage, or other purpose conducive to the progress of religion, and to carry into effect any contract which may have been made for a site for a church, and the erection of a church edifice, and to collect all sum or sums of money which have or may hereafter be subscribed by any person or persons, for the purchasing of the aforesaid lot or piece of ground, and the erection of said church building, and perform such duties, and adopt such measures as shall not conflict with the spirit and intent of this act.

Church council and building committee, duties of.

Officers

Treasurer to give security

Elders and wardens

Election of elders and wardens.

Terms of service.

SECTION 3. That the business of the said congregation shall be conducted by a church council and building committee, comprised of six elders and two church wardens, five of which shall compose a quorum to transact business; who shall select from their number a president and secretary, and may appoint a treasurer from among the members of said congregation, who shall receive and account for all money or moneys received belonging to said congregation, who shall, if required by the church council, give approved security for the faithful performance of his duty, and shall have his account annually settled by the said church council; and may also appoint such other officers as the said church council may from time to time deem expedient, for the advancement of the temporal interests of said congregation.

SECTION 4. That the following named persons: Messrs. John Weyer, Joseph Smyser, Adam Smyser, Christian Bender, Jacob Herman, Jacob Kessler, elders, George Leitner and John Kraber, wardens, shall comprise the church council and building committee, and continue in office until the first day of January, Anno Domini one thousand eight hundred and sixty, or until others are elected; and on said day the members of said congregation qualified to vote by the fifth section of this act, shall elect by ballot, six elders and two church wardens; two of said elders shall be elected and serve one year; two of said elders shall be elected and serve two years, and the remaining two elders shall be elected and serve three years; also, one of said church wardens shall be elected and serve one year, and the

other church warden shall be elected and serve two years; the term of office to be designated by the electors on their ballots, so that thereafter at the annual election to be held for that purpose on the said first day of January, in each and every year, the members of said congregation qualified to vote as aforesaid, shall elect two elders and one church warden, said elders for three years and said warden for two years, so that the said church council shall always consist of six elders and two church wardens: *Provided*, That if the said congregation neglect on the day aforesaid to hold their election, as is herein directed, the said congregation shall not be dissolved, but a majority of the church council remaining in office, shall appoint any subsequent time, not exceeding one month, at which time the election shall be held to supply the vacancies, of which time and place notice be given as directed in section eighth in this act: *And provided further*, That the pastor of the said congregation shall not be one of the said church council, but may from time to time lay, or present any important matter before said church council for the consideration, either verbal or written: *And provided further*, In case of vacancy by death, or otherwise, the residue of elders and church wardens may appoint a person or persons to supply the said vacancy or vacancies until the next annual election: *And provided further*, That no person or persons shall be eligible to eldership or church wardens, unless he or they be and are citizen or citizens of the state aforesaid, and a member of good repute of said congregation, and having contributed to the support of the pastor and defraying the expenses of said congregation, according to his ability, within one year, and having his name enrolled in this act, or having subscribed his name in the church book kept for that purpose.

Annual election,
when to be held.

Proviso

Proviso.

Proviso.

Proviso.

SECTION 5. That any member of said congregation who has, and shall hereafter contribute towards the discharge of the cost and expenses of said congregation, and the support of the pastor, according to his ability, within one year, shall be entitled to a vote at all elections of said congregation.

Who entitled to
vote.

SECTION 6. That the said church council and building committee, their successors, shall have power at all times to adopt, but not amend or annul, or abrogate such by-laws and regulations for the well government of the said congregation, and enforce such rules and regulations for the disciplining of its members: *Provided*, That they do not militate against the import of this act, or the laws of this commonwealth: *And provided*, That they are not construed so as to prevent the said congregation, or its successors, from expelling any member thereof agreeable to its rules of discipline, and by such expulsion deprive him or her of all rights and privileges therein granted.

By-laws

Proviso.

Proviso.

SECTION 7. That the said congregation shall have power to make and use one common seal, with such device and inscription as they deem expedient, and to abolish, alter and renew the same at pleasure.

Seal.

SECTION 8. That all meetings for elections of the said congregation, shall at least have two weeks' notice given by pastoral announcement from the pulpit, after divine service or before the dismissal of said congregation, or in any other suitable

Meetings for
elections to be
published.

ble or approved public manner, as the said church council may direct.

Pews not to be sold or rented. SECTION 9. That it is hereby resolved and agreed that the pews in said church shall not now, or at any subsequent period, or ever be sold or rented.

Services in the English and German languages. SECTION 10. That the services of said congregation shall be conducted in the English and German languages, alternately, every Sabbath morning and in the evening, as circumstances may require, by said congregation.

Pastor, relative to. SECTION 11. That there shall be only one minister of the gospel stationed and preach in or for said congregation in said church, during any period for which said congregation has or may appoint or elect a pastor for said congregation.

Church council to call pastor. SECTION 12. That the pastor intended to be stationed by and for said congregation, shall be invited or called by the church council or a majority of them, and being appointed by them, or a majority of them, shall be elected by ballot, by a majority of such persons as are present, eligible by the fifth section of this act, and notice given as contained in the eighth section of this act.

Mode prescribed for discharging pastor. SECTION 13. That if twenty members or more, of good repute, of said congregation, have or may have just cause or satisfactory reason why the incumbent pastor of said congregation shall or ought to be discharged from further officiating in a clerical manner for said congregation, the said members shall or may inform the church council of said congregation by writing to the same; thereupon it shall be the duty of the said church council to call a meeting of said congregation, at which meeting the president and secretary of said church council shall preside, and it be decided at said meeting by ballot by the majority of the members present of said congregation qualified to vote, as set forth in section fifth, and manner of notice and time and place given as specified in section eighth, that the said incumbent pastor be discharged from further officiating in a clerical manner for said congregation; thereupon the said pastor shall be immediately informed of the same in an humble and christian like manner, by the said church council.

Relative to contracting debts. SECTION 14. That after the completion and liquidation of said church and lot of ground, no debt or obligation shall thereafter be contracted that shall exceed one hundred dollars, without being first approved by two-thirds of the church council and two-thirds of the members of said congregation, expressed by an election by ballot, qualification and notice of time, as set forth in section fifth and eighth in this act; and the yearly value or income of the estate held by said corporation, shall not at any time exceed eight thousand dollars, and shall not be appropriated to any other than benevolent or religious uses.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 374.

A N A C T

Supplementary to an act relating to Orphans' Courts, and for other purposes, approved the thirteenth day of October, Anno Domini one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the thirteenth, fourteenth, fifteenth and sixteenth sections of the act to which this is a supplement, be and they are hereby extended to musical societies and associations.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 375.

A N A C T

To incorporate the Lancaster and Sunhill Turnpike Road Company, in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Emanuel P. Keller, John M. Stehman, John Huber, Jacob M. Mayer, Christian Hershey, Benjamin Workman, George Shreiner, Henry Erb, Christian Hess, Jacob Gamber, Samuel Shick, John Dutt and David Mayer, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Lancaster and Sunhill turnpike road company* Commissioners
Style with power to locate and construct a turnpike road, commencing

Route	at the north end of North Queen street, or Prince street, in the city of Lancaster, to a point in the old Lancaster and Manheim road known as Sunhill, by the nearest and best route between said points, upon and over the bed of any public roads or otherwise, as the said company may deem best adapted for said purpose, with power to extend said road from the aforesaid Sunhill to and into the borough of Manheim, and from the commencement thereof, if commenced at the end of Prince street aforesaid, into the city of Lancaster, to James street, subject to all the provisions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same be not inconsistent with any section of this special act.
Subject to	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars each: <i>Provided</i> , That said company may, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.
Proviso	
Toll	SECTION 3. That when said company shall have completed three miles or more of said road, they shall have power to erect toll gates and receive the same toll per mile as are allowed by the twelfth and thirteenth sections of the aforesaid act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.
Commencement and completion.	SECTION 4. That if said company shall not commence the construction of said road within three years of the passage of this act, and complete the same within six years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 376.

A N A C T

To incorporate the Marietta, Mount Joy, Sportinghill and Manheim Turnpike Road Company, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John G. Hoerner, John Stauffer, John W. Clark, S. C. Heistand, Commissioners of Marietta; J. Hoffman Hershy, Peter Helman, Henry Shaffner, B. M. Greider, of Mount Joy; Henry Kauffman, Abraham Erisman, John Rohrer, senior, J. W. Snyder, of Sportinghill, and Nathan Worley, J. E. Cross, John Hostetter, Henry Arndt, of Manheim, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the style and title of the Marietta, Mount Joy, Sportinghill and Style Manheim turnpike road company, with power to construct a turnpike road, commencing at the borough of Marietta, in the county of Lancaster; thence through the borough of Mount Route Joy, by way of Sportinghill, to Prusian street, in the borough of Manheim, subject to all the provisions and restrictions of an Subject to act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the track of the said turnpike is to be upon Location of the roads now in use between said points above named; and the track. company is hereby authorized to construct their turnpike on the roads now in use between said points.

SECTION 3. That the capital stock of said company shall consist of six hundred shares at twenty-five dollars each: *Provided,* Capital stock That the said company may from time to time, at a meeting of Proviso the stockholders called for that purpose, increase their capital stock to such an amount as, in their opinion, may be required to complete the road, according to the true intent and meaning of this act.

SECTION 4. That whenever the said track or turnpike road shall be laid and located upon any road now used as a township or county road, then, and in such case, no further or other damages shall be demanded by any one, or paid to any person or persons through whose land the same may pass, than the amount assessed and laid by the viewers or others who laid out such road under the then existing laws of this commonwealth. Use of roads and damages, relative to.

SECTION 5. That the said company may commence their road at any intermediate point: *Provided,* May commence road at intermediate points That such commencement be made within four years after the passage of this act, and complete the same within six years.

SECTION 6. That it shall and may be lawful for the president and managers of said turnpike company to have power to extend the same from said terminus at Prusian street, in the bor- Authorized to extend road

ough of Manheim, to the village of Warwick, in the said county of Lancaster; said extension, however, to be submitted to a vote of the stockholders, at a general meeting to be called for that purpose.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 377.

A SUPPLEMENT

To an act to incorporate the Sinnemahoning and Pittsburg Railroad Company, passed April thirteenth, one thousand eight hundred and fifty-six, [four.]

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing the construction of the Sinnemahoning and Pittsburg railroad, be and the same is hereby extended to the first day of July, one thousand eight hundred and sixty-three.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 378.

SUPPLEMENT

To the act incorporating the Spinnerstown and Goshenhoppen Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said company may extend the said road from the termination thereof, at the public house of George Graber, Jr., at the Green Lane and Goshenhoppen turnpike road, in Upper Hanover township, Montgomery county; thence by the nearest and best route to Croll's tavern; and thence to the line of New Hanover township, in said county.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 379.

AN ACT

Relating to Interest upon Verdicts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be lawful for any party or parties, in whose favor any verdict may be rendered for a specific sum of money, to collect and receive interest upon such sum from the date of the verdict; and every general judgment entered upon such verdict, whether by a court of original jurisdiction, or by the supreme court, shall be deemed and held to be a judgment for the sum found by the verdict, with interest thereon from the date of such finding: Provided, That nothing in this act contained shall prevent any court from directing*

special verdicts, or entering special judgments whenever the same shall be deemed just and proper.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 380.

AN ACT

Further to prevent the Disturbance of Public Meetings.

Penalty for disturbing public meetings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, if any person or persons shall be guilty of disturbing any society or meeting assembled for the purpose of any moral, social, literary or scientific object, ceremony, examination, exhibition or lecture, or assembled for the purpose of transacting any business pertaining thereto, or if any person or persons shall be guilty of encouraging or aiding any such disturbance, on conviction thereof in the manner provided for the conviction of persons disturbing religious meetings, shall be punished in like manner and in the same way as persons disturbing religious meetings are now punished by the existing laws of this commonwealth.

Powers of aldermen and justices in preserving order. &c.

SECTION 2. Any justice of the peace or alderman shall have power to depute any person or persons as special officers, to attend and preserve order at any congregation or meeting assembled for the purposes set forth in this and the act to which this is a supplement; which person or persons so deputed, shall have power to arrest any person or persons so offending against the provisions of the said act and its supplements, in their presence and within their knowledge; which said person or persons so offending, may be taken before the nearest or most convenient justice of the peace or alderman, to be dealt with under the provisions and penalties in said act and its supplements provided.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 381.

AN ACT

Relative to Recorders of Deeds within this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several recorders of deeds within this commonwealth heretofore authorized to take the acknowledgment of and proof of deeds and other writings, shall have full power, and are hereby authorized to take and certify the acknowledgment and proof of or concerning any such instruments of writing, as fully and with like effect as any judge or justice of the peace of this commonwealth might or could do.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 382.

A SUPPLEMENT

To an act to amend certain defects of the law for the more safe and just transmission and secure enjoyment of real and personal estate approved twenty-seventh day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where aliens have purchased real estate within this commonwealth, and have sold the same to citizens of the United States, the said sales shall be valid to all intents and purposes, and shall be construed to vest the title to the said real estate in the citizens aforesaid, as fully and effectually as if the said aliens had been citizens at the time of purchasing the same: *Provided,*

LAWS OF PENNSYLVANIA,

This act shall not apply to any cases that have already been adjudicated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 383.

A SUPPLEMENT

To the act, entitled "An Act relating to Executors and Administrators," approved the twenty-fourth day of February, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever the executors or administrators of a deceased plaintiff or defendant, in any action or proceeding pending in any court of this commonwealth, resides without the jurisdiction of the said court, the writ of *scire facias* provided by the twenty-seventh and thirty-second sections of the act to which this act is supplementary may be served on such executor or administrator by the sheriff of the county where he is resident, if, in the opinion of the proper court, such service may be reasonably practicable; but if otherwise, and also where the said executors or administrators reside in some other state of the United States, such service may be made by publication in one or more public newspapers, as, in the opinion of the court, will be most likely to give notice to the said executors or administrators; the said manner of service herein provided to have the same force and effect as the manner of service provided by the said act to which this is supplementary.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 384.

A FURTHER SUPPLEMENT

To the act incorporating the borough of Meadville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it may be lawful for the burgess and town council of the borough of Meadville to appoint one or more police officers, as occasion may require, who shall have the same power and authority, for the preservation of the peace, as is now exercised by constables and police officers by the laws of this commonwealth.

Burgess and council may appoint police officers.

SECTION 2. That the persons last elected overseers of the poor of the borough of Meadville, shall have authority to pay the debts due on account of the poor of said borough, and to settle and close up the accounts relative to the same; and for this purpose shall have authority to collect all outstanding taxes heretofore assessed by them, or their predecessors in office, and if the same shall be insufficient, it shall be their duty to assess and collect a tax for the purpose of paying such debts; which tax shall be assessed and collected in the same manner as the overseers of the poor were authorized by law so to do prior to the passage of the act for the erection of the house of employment and support of the poor in the county of Crawford; and the acts of the persons so elected overseers of the poor, since the erection of said house of employment, are hereby declared legal and valid, to all intents and purposes, as if said act had not been passed: *Provided*, That as soon as said debts are paid, the powers and duties of such persons, as overseers of the poor, shall cease and determine.

Overseers of the poor authorized to pay certain debts, levy tax, &c.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 385.

A N A C T

To repeal an act relative to the Susquehanna and Waterford Turnpike Road Company, passed the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, an act, entitled "An Act to enable the Susquehanna and Waterford turnpike road company to resume the possession of that part of said road located in the counties of Venango, Clarion, Jefferson and Clearfield," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 386.

A N A C T

Conferring upon Sarah Ann, Melissa, Warren B., Nancy, Ellen and Nicholas D. Evans, minor children of David C. Evans, deceased, and Catharine Evans, all the rights of children born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Sarah Ann, Melissa, Warren B., Nancy, Ellen and Nicholas D. Evans, minor children of David C. Evans, deceased, shall have all the rights and privileges of children born in lawful wedlock, and shall be capable not only to inherit but to trans-*

mit property as fully as if they had been born in lawful wedlock.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 387.

AN ACT

To authorize Execution of Process in certain cases in Equity, concerning property within the Jurisdiction of the Court, and on Defendants not resident or found therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be lawful for any court of this commonwealth having equity jurisdiction, upon special motion of the plaintiff or plaintiffs, in any suit in equity which has been or shall be instituted therein, concerning goods, chattels, lands, tenements, or hereditaments, or for the perpetuating of testimony concerning any lands, tenements, and so forth, situate or being within the jurisdiction of such court, or concerning any charge, lien, judgment, mortgage, or incumbrance thereon, or where the court have acquired jurisdiction of the subject matter in controversy, by the service of its process on one or more of the principal defendants, to order and direct that any subpœna, subpœnas, or other process to be had in such suit, be served upon any defendant or defendants therein, then residing or being out of the jurisdiction of such court, wherever he, she or they may reside or be found; and upon affidavit of such service had, to proceed as fully and effectually as if the same had been made within the jurisdiction of such court: *Provided*, Relative to execution of process in certain cases in equity. Provido That it shall appear to such court by affidavit, affidavits, or other documents applicable for the purpose, before making such order, in what place or county such defendant or defendants reside, or are or probably may be found, and if such place be without the United States, whether there are any officers of the United States residing thereat, or near thereto, and by what means such service may be authenticated: *And provided*, That such order limit a time, depending on the place where such process is to be served, after the service thereof, within which compliance with

Proviso.

the requirements thereof must be made by such defendant or defendants, such process to be returnable at such time after the service thereof as such court shall by special order direct: *And further provided*, That when such process shall be served, such defendant or defendants shall also be served with a copy of the order authorizing the service thereof, and a copy of the bill or petition, if such process be a subpoena thereon, but if not, a statement of the substance and object of the proceeding whereon the same is founded: *And provided also*, That the affidavit of such service of process and copies, or statements aforesaid, if such service be had within the United States, may be made and taken before any officer of the United States, or of any of the states or territories thereof, authorized to administer an oath; and if such service be had without the United States, the same shall be authenticated as such court shall by special order direct.

Relative to service of process on defendants who cannot be found.

SECTION 2. That whenever it shall appear to the satisfaction of such court by affidavit, affidavits, or other documents applicable for the purpose, that any defendant or defendants in any such suit as is hereinbefore mentioned, cannot, upon diligent inquiry, be found so as to be personally served with any process to be had therein, it shall be lawful for such court, upon special motion, to make an order upon such defendant or defendants similar to the requirements of such process, specifying the time when compliance therewith must be made, and upon the expiration of such specified time, to proceed as fully and effectually as if such process had been duly served within the jurisdiction of such court: *Provided*, That a statement of the substance and object of the bill, petition, or other proceeding, whereon such order is founded, and a copy of such order, be published in such one or more newspapers, and at such times as such court shall by special order direct.

Order or process of contempt relative to.

SECTION 3. That no order or process of contempt shall be made or issued under this act; and nothing herein shall make it compulsory on the plaintiff or plaintiffs in any such suit as hereinbefore mentioned, to serve with process, or bring before such court, or proceed against any party or parties, person or persons, further or otherwise than such plaintiff or plaintiffs are now by law or the practice of such court required to do.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 388.

A N A C T

To incorporate the Hestonville, Mantua and Fairmount Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Albert S. Ashmead, Charles M'Calla, H. R. Harnish, Charles Commissioners. B. Truit, William Patterson, J. R. Ghéen, Jacob S. Yost, Robert Glendenning, Robert Morris, Samuel Smedly, Jacob Ziegler, Samuel Hutchins, W. D. Kelly, James Hunter, Isaac Heston, Thomas A. Andrews, J. R. Vogdes, John C. Keffer, D. B. Paul, H. A. Dreer, Nehemiah Evans, Robert Selfridge, John A. Brown, G. C. Francisus, G. H. Bardwell, B. R. Miller, H. E. Wallace, S. Mortan Zulick, D. D. Jones, John Steele, Jesse T. Vogdes, Stephen P. Hill, Isaac M. Ashton, William P. M'Calla, John F. Beatty, E. W. Carr, Peter Packer and George M. Hill, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Hestonville, Mantua and Fairmount Style. Passenger railroad company, and as such shall have power to lay out and construct a railway in the city of Philadelphia, according to the following route: Commencing at Hestonville; Route. then eastward along Lancaster avenue or the Merion plank road, with double track, to Belmont avenue; thence with double or single track by Belmont avenue and Lancaster avenue, and such other street or streets as may be requisite, to Haverford street and Bridge street; thence along Haverford street, with single track, to Thirtieth street; thence southward to Bridge street; thence eastward, with double track over the bridge, to Fairmount; thence westward, with single track along Bridge street, from Thirtieth street to Lancaster avenue, or such other street or streets as may be requisite, with the privilege of extending south-eastward, with double track, to the middle of Market street, and by single track along Thirty-sixth street, from Haverford street southward to Walnut street; thence by single track to Thirty-fourth street; thence northward by Thirty-fourth street and Lancaster avenue and Thirty-fifth street to Haverford street to the place of beginning, with the privilege of laying a single or double track upon Garden street and Hamilton street, with the right to intersect and run their cars over any passenger railway now constructed, or which may hereafter be constructed, so as to give the said company a complete route from Hestonville to the eastern limit of the city of Philadelphia; and the said company shall have power to convey passengers over said Powers. route to and from Hestonville and the eastern limit of the city aforesaid; and they shall have the right to purchase real estate, and to erect thereon such buildings and improvements as may be necessary or deemed expedient for the purposes and conve-

Proviso.

nience of said company, and also to purchase the necessary equipments, such as horses, cars, and other vehicles for the conveyance of passengers over said railway; and no freight or burden trains, or locomotive, shall be permitted to pass over said railway: *Provided*, That before the said company shall run their cars on the track or tracks of any other passenger railway, they shall agree with such other company or companies upon the terms of compensation to be paid said company or companies for the privilege of so using and running cars on said road or roads; and if the parties shall not be able to agree upon the terms of compensation as aforesaid, then the determination of all such disputes shall be submitted to three competent and disinterested citizens of the city of Philadelphia, who shall be appointed by the judges of the court of common pleas of said city, on petition, in writing, presented to said judges, whether in vacation or at their chamber; and it shall be the duty of said judges, on the presentation of said petition, forthwith to appoint the said three referees, whose duty it shall be, without delay, to adjust and determine the compensation to be paid by the said Hestonville, Mantua and Fairmount Passenger railroad company as aforesaid; and the decision of said referees as aforesaid made, shall be in writing, and deposited within five days after their appointment with the judges of the court of common pleas as aforesaid; which decision, so aforesaid made, shall be final and conclusive upon both parties.

Capital stock.

Increase of.

Proviso.

SECTION 2. That the capital stock of said company shall consist of six thousand shares of fifty dollars each, and that said company shall have power, by a vote of the stockholders convened for that purpose, to increase their capital stock as much as in their opinion shall or may be necessary to complete said railway and to carry out the full and true intent and meaning of this act: *Provided*, That said capital stock shall not exceed five hundred thousand dollars.

Dividends.

SECTION 3. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July in each and every year, and be paid at the office of said company any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company, for the amount so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter protest upon the minutes of the transactions of the board, and give public notice of the same.

Seal.

By-laws.

SECTION 4. That said company shall have a common seal and the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, and not being contrary to the laws and constitution of the United States or of this commonwealth,

and generally to do for the well-being of the said corporation and the due ordering and managing of the affairs thereof.

SECTION 5. That the said company shall have power to elect *Officers.* or appoint a president and five directors, a majority of whom, with the president, shall be citizens of Philadelphia, and such other officers as may be deemed necessary and expedient; and in every election for officers each share of stock shall entitle the holder to one vote.

SECTION 6. That said company shall have power to raise on *May issue bonds.* bonds any sum not exceeding one-half of their capital stock, for the purpose of carrying out the true intent of this act: *Pro-* *Provided,* That no bond shall be issued for a less sum than one hun- *Proviso.* dred dollars, and at a rate of interest not exceeding seven per centum.

SECTION 7. That the said company shall annually pay into the treasury of the city of Philadelphia, for the use of said city, whenever the dividends shall exceed the sum of six per centum on the capital stock, the sum of six per centum on said dividends thus declared. *Per centage on dividends to be paid into city treasury.*

SECTION 8. That if it shall be found necessary in extending the track along the plank road and Fortieth street, or such other street or streets as may be convenient to Haverford street, to enter upon private property, damages for the same, if any, shall be assessed and paid for according to the act of assembly, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine: *And provided further,* That *Proviso.* before the said company shall use and occupy said bridge, the consent of councils of the city of Philadelphia shall be first obtained; and said councils may from time to time, by ordinance establish such regulations in regard to said railway, as may be required for paving, re-paving, grading, culverting of, *Paving, grading, &c.* and laying gas and water pipes in and along said streets, and to prevent obstruction thereon.

SECTION 9. That said company, in constructing said road, shall conform to the grades now established or hereafter to be by law established, of the several streets traversed by said road, and keep said streets in perpetual good repair, at the proper expense of said company. *Must conform to present grades of streets.*

SECTION 10. That the said Hestonville, Mantua and Fairmount Passenger railway company is hereby authorized and empowered, in constructing their passenger railway, to lay their track or tracks upon the line of the Merion plank road, or the line of the Lancaster turnpike company: *Provided,* The consent of the *Proviso.* stockholders of said company or companies be first obtained.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 389.

A N A C T

To incorporate the Roxborough Odd Fellows Hall Association.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators.** Michael Righter, Malcom G. Weidner, George A. Levering, Jacob Shinkle, Francis J. Cornman, James Thomson, John Jackson, Charles R. Keely and William R. Ring, and their successors, and all persons who now are or may hereafter be associated with them, be and they are hereby created and erected into a
- Style.** body politic and corporate, in deed and in law, by the name, style and title of the Roxborough Odd Fellows hall association, and by that name shall have perpetual succession, and be able
- Powers.** to sue and be sued, plead and be impleaded in any court of law or equity and elsewhere; and shall be capable in law and equity to take and hold to them and their successors, either by grant, gift, devise, bargain, sale or lease, any lands, houses or real estate; and also to take and hold, for the use of the said association, any goods and chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise, bequest or otherwise, from any person or persons whatsoever capable of making the same, and the same at their pleasure to grant, bargain and sell, for the use of the said association, and generally to do all and singular the matters and things which shall be lawful for them to do for the well being and due management of the affairs of the said association: *Provided*, That the real estate of which the said corporation shall be at any time possessed, shall not exceed the clear yearly value of six thousand dollars.
- Proviso.**
- Objects.** **SECTION 2.** That the object of the said corporation shall be to provide by purchase, or otherwise, a suitable building or buildings in Roxborough, in the Twenty-first ward of the city of Philadelphia, for the accommodation of members of lodges of the Independent Order of Odd Fellows, and other benevolent societies.
- Seal.** **SECTION 3.** That it shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew, as they shall think proper; and shall have and exercise the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and as herein expressed.
- Government and management.** **SECTION 4.** That the government of the said Roxborough Odd Fellows hall association, and the management and disposition of its affairs and property, shall be vested in a board of nine trustees, who shall be elected annually on the second Saturday in in the month of July in every year, by the members of the Roxborough lodge, number sixty-six, of the Independent Order of Odd Fellows, at their usual place of meeting; and the said trustees shall hold their places until their successors are chosen;

until an election is held by the said Roxborough lodge, the persons named in section first shall be the trustees; at the first meeting of the trustees in each year, they shall elect from their body a president, secretary and treasurer.

SECTION 5. That no person shall be elected a trustee, unless ^{Who eligible as trustee.} he is a member of the said Roxborough lodge, number sixty-six, of the Independent Order of Odd Fellows; and in case any trustee dies, resigns or removes from the neighborhood, or is excluded from the said Roxborough lodge, number sixty-six, his place in the said board of trustees shall be declared vacant, and ^{Vacancy.} the said Roxborough lodge may, at any subsequent meeting, elect some person to fill his place.

SECTION 6. That the said corporation may have power and ^{By-laws.} authority to make such by-laws as they may deem proper, not in violation of the constitution and laws of this commonwealth, or of the United States.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 390.

A SUPPLEMENT

To the act incorporating the North Lebanon Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on all freight transported over the North Lebanon railroad, for any distance less than three miles, when the cars used for such transportation are furnished by others than the North Lebanon railroad company, the said company are hereby authorized to charge a toll not exceeding eight cents for each ton of two thousand pounds of freight, and to charge two cents for any distance less than a mile, for each burden or freight car, every four wheels being computed a car.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 391.

A N A C T

To incorporate the Green Hill Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators. Bayard Robinson, G. B. Hutchins, John Cassidy, John L. Schaeffer, John Welsh, Samuel Miller, Charles Peters, Thomas Fagan, James Harper, Thomas C. Steele, James Johnson, John H. Getz, George F. Keyser, Charles S. Wayne, Isaac Ashmead, James Peters, George W. Simons, John F. Beatty and W. J. Philips, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate,

Style. by the style of the Green Hill market company, to have perpetual succession, to be capable in law of suing and being sued,

Seal. to have a common seal, and the same to alter and renew at pleasure ; and to have, hold, receive, enjoy and take, in fee simple, or upon ground rent, such real, and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction and for the proper use and management and maintainance of a market house, in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with free power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

Powers

Objects and purposes. SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all things necessary for the use thereof, at the southeast corner of Seventeenth and Poplar street, of the city of Philadelphia, the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, as the board of managers may deem proper ; the said market buildings,

Stalls. the stalls, or any one or more, or all of the same, to be leased, rented, or disposed of in such manner, and upon such terms and conditions as the managers shall determine: *Provided,* That

Proviso. the said corporation shall have no power to prohibit, or restrict by any by-law, rule, or regulation, any person who shall rent a stall in any such market building, from exposing to sale, and selling at said stall, in such quantities as he may deem proper, beef, pork, mutton, veal and poultry, which shall be slaughtered, or killed on his farm ; nor from exposing to sale and selling at said stall, butter, cheese, sausages and chopped meat, which shall be manufactured or prepared for market on said farm ; nor from exposing for sale and selling at said stall, any article or articles killed or slaughtered, made or manufactured, or prepared for market on his farm.

SECTION 3. That the capital stock of said corporation shall not exceed one hundred thousand dollars, divided into one thousand shares, of one hundred dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish. Capital stock.

SECTION 4. That the government and control of the Green Hill market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by a board of seven managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number, however occasioned, and shall have the general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such. Government and control.
Managers and officers.

SECTION 5. That a general meeting of corporators shall be held annually, on the second Monday of January, for the election of seven managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given, in at least three daily newspapers in the city of Philadelphia; and special meetings of the corporation shall be called and held, as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers, and the decision of all questions, and at all the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote one for each share of stock held by them. Annual meeting, when held.
Notice of.
Votes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 392.

AN ACT

To establish the Penn Industrial Reform School.

Preamble.

WHEREAS, A number of citizens of this commonwealth have associated themselves together, for the purpose of establishing an industrial reform school for the physical, mental and moral instruction and reform of destitute, ignorant, idle and vicious and criminal, and such as may be fit subjects of education in labor, and improvement in the arts, and desire the legislature to grant them a charter to that effect; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ellis Lewis, Mordecai L. Dawson, William D. Kelly, J. J. Barclay, Cornelius S. Smith, Joseph R. Flanigen, Robert Morris, John Mason, William F. Murphy, Daniel L. Miller, John C. Murphy, James Tyson, A. L. Kennedy, Elijah Dallett, C. H. Rogers, Philip M. Price, John Reynolds, Alfred Huidekooper, John Barker, Gordon F. Mason, John Wilson, C. M. Reed, George A. Lyon, James Miles, John Galbraith, R. C. Boileau, D. C. Wright, William Himrod, Judah C. Spencer, Alfred King, Thomas Stewart, S. P. Johnson, Chapin Hall, Strange N. Palmer, Lewis Brener, E. D. Gazzam, George W. Jackson, William N. Shinn, Arnold Plumer, B. Gillott, O. H. P. Kinney, Thomas White, John Graff, Joseph Buffington, Darwin Phelps, Henry D. Foster, Edgar Cowen, Richard Coulter, Cyrus Blood, Thomas H. Burrowes, A. C. Thomas, C. Collins, Moses Ballou, Daniel Lott, J. D. Williamson, J. E. Forrester, K. M'Arthur, John Green, G. W. Harris, D. Himrod, J. Y. James, W. M. Meredith, Henry D. Moore, Samuel M. Lane, George Griscom, G. J. Ball, and their successors, and all who may become members agreeably to the by-laws, are hereby incorporated as a body politic, known by the name, style and title of the Penn Industrial Reform School, and by that style and title may sue and be sued, have a common seal, purchase, receive, hold and convey any estate, real or personal, for the use and purposes of the said corporation, and to institute, erect and maintain a school or schools, embracing the departments of common school education, agriculture, the mechanic arts and labor, with such buildings, workshops, and such appurtenances, auxiliaries and instrumentalities as, in the judgment of the managers, may best contribute to the safe keeping, instruction and reformation of those committed to their custody and guardianship.

Style.

Seal.

Uses and purposes.

Officers and managers.

Time and place of meeting.

SECTION 2. That until otherwise directed by the by-laws, the officers shall be a president, six vice presidents, a secretary, a treasurer and twelve managers, who shall conduct the affairs of the corporation; and for the purpose of electing said officers, the corporators may meet at such time and place as five or more

thereof may designate and appoint, in the city of Philadelphia, at any time after the passage of this act.

SECTION 3. That the time and manner of admitting and continuing members, the amounts payable by members annually or for life, the manner of calling special meetings, the duties of the officers, the time and place of the annual meeting for the election of officers, the manner of electing the same, and such other matters as may be necessary to carry out the provisions of this act, and its true object and intent, may be provided by the by-laws: *Provided*, They do not conflict with the true intent and meaning of this act, or of the constitution, or any other law of this commonwealth: *And provided further*, That the annual election shall be held before, or as early as the first day of November in each year. By-laws.
Proviso.
Proviso.

SECTION 4. That it shall and may be lawful for the board of managers, at their discretion, to receive into their care and guardianship all such as may be committed to their custody, in the same manner, to the same extent, and on the same conditions as are provided for in the acts incorporating the houses of refuge, and the accounts to be kept and settled in the same manner; and in addition thereto they may receive, at their discretion, any person charged with crime in any of the courts mentioned in the said acts incorporating the houses of refuge, without regard to age, who may be adjudged by the court trying the cause, to be a fit subject of reform; and on that question the said court shall hear the statement of the defendant, if requested, detailing the circumstances under which the offence was committed, together with the birth and parentage, place of birth and former residence, education, course of life, and such other matters as they may judge necessary to decide the question of fitness for the care and guardianship of the managers, which shall be substantially taken down in writing and transmitted with the commitment, to the managers, when such affirmative decision is made, the said court designating the sentence of the law, and may take recognizance, conditioned for the good behavior of the defendant and compliance with all the rules and orders of the managers; and in case the managers, on personal examination and investigation of the case, or by reason of his or her conduct, upon further trial, shall ascertain the defendant not to be a fit subject for their care and management, then and in that case they shall have power to return the defendant to the sheriff of the proper county, to be committed according to the sentence so designated by the court as aforesaid; if found by the said managers to be a fit subject for their care and guardianship, and the defendant should so prove throughout the period of their control and instruction, then the managers shall furnish a certificate to the defendant, setting forth the facts in as full a manner as they may adjudge right and proper as deserved, and forward a copy thereof to the clerk of the court in which the trial was had. Inmates to be received in the same manner and on the same conditions as by the houses of refuge, &c.

SECTION 5. That the managers may receive in the same manner such persons as the legal authorities of the houses of refuge may determine to be fit subjects for their care and guardianship, for the purposes of education, culture and reformation. In what manner and who the managers may receive as inmates.

The kind of persons to be received.

SECTION 6. That they may receive such as may be committed as vagrants, idlers, intemperate and disorderly persons, as may be committed to their care, under authority of any of the courts or magistrates, under the examination of said commitment, by the president judge of the proper district, and also all such persons as may have fallen into habits of intemperance or other vices or errors, who may themselves, or by their friends, without compulsion, commit themselves to the care and guardianship of the managers, as may be provided by the by-laws, and as may be stipulated.

Detailed report to be forwarded annually to the governor.

SECTION 7. That it shall be the duty of the managers, on or before the first day of December, in each and every year, to forward to the governor and to each of the departments of state, a full detailed report of their proceedings during the year, up to the first day of November, with their views on the causes of crime within the state, the most efficient means in their opinion of preventing and reforming it, and such other matters as they may deem of importance in furnishing information on that subject, and as soon thereafter as practicable, transmit a copy of said report to each of the judges of the several courts of record, to the president of each of the colleges, academies and high schools, and to each member of the legislature.

Who may visit the departments of the institution.

SECTION 8. That the governor, attorney general, superintendent of the common schools, and the president of the agricultural high school, for the time being, and the judges of the several courts, shall be entitled to visit freely all departments under the control and guardianship of the managers; and that the friends and relations of the inmates may at all times have free admission for the purpose of mutual conversation, subject to such regulations and restrictions compatible with the safe keeping of the inmates, as may be from time to time prescribed in the by-laws.

Subject to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 393.

AN ACT

To authorize the trustees of the Glen Run Baptist Church to sell Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Glen Run Baptist church, be and are hereby authorized to sell their meeting house and lot of ground, and premises belonging thereto, situate in the village of Parkesburg, Chester county, for the best and highest price that can be obtained for the same, and make a deed to the purchaser or purchasers thereof; and after paying the debts existing against the same, they shall appropriate the balance of said sale to the payment of the debt incurred by building their meeting house, in the village of Penningtonville, in said county of Chester.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 394.

A FURTHER SUPPLEMENT

To an act to appoint Commissioners to view, lay out and construct a State Road in Lancaster and Chester counties, approved the fifteenth day of April, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners named in the act to which this is a supplement, or a majority of them, be and they are hereby authorized to lay a tax for the purpose of defraying the expenses of making the road, as laid out and constructed by them, between the points mentioned in said act, and to collect the same from the citizens of the respective townships through which said road passes, in

the same manner that supervisors are authorized by law to levy and collect taxes; and the accounts of said commissioners shall be audited in the same manner that accounts of supervisors are audited: *Provided*, That said commissioners, before proceeding to collect the tax, shall enter into a bond to pay over to the supervisors of the respective townships in which said tax is assessed, all moneys collected by them over and above what is necessary to defray the expenses incurred in making said road.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 395.

A FURTHER SUPPLEMENT

To an act incorporating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the present board of guardians of the poor of the city of Philadelphia, as constituted and organized by and under an act, entitled "A further supplement to the act, entitled 'An Act to incorporate the city of Philadelphia,' passed February second, Anno Domini one thousand eight hundred and fifty-four," shall be abolished, and shall cease and determine from and after the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine; and that all laws and parts of laws providing for the organization of said board, as now established, and under and by virtue of which said board of guardians of the poor is now constituted, by the election of its members by the qualified electors of the several wards of the city of Philadelphia, mentioned in the eighteenth section of the act to which this is a further supplement, shall from and after the said first Monday in July, Anno Domini one thousand eight hundred and fifty-nine, be repealed, and thereafter be of no force or effect so far as the same shall conflict with the provisions of this act; and that so much of said act as authorizes the qualified electors of said wards of the city of Philadelphia, annually, on the first Tuesday in May, to elect one citizen to serve as a member of said board, be and the same is hereby repealed: *Provided, That*

Board of guardians abolished.

Certain acts relative to board of guardians repealed.

Proviso.

so much of this act as relates to the guardians of the poor, shall not apply to the Twenty-second ward, nor to such parts of the Twenty-first and Twenty-third wards as are now under a separate organization for the support and employment of the poor.

SECTION 2. That on the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine, and forever thereafter, until otherwise provided by law, the powers, duties, rights, liberties, authorities and immunities of the board of guardians of the poor of the city of Philadelphia, as constituted and organized under the provisions of the act mentioned in the first section of this act, shall be transferred and assigned to and be assumed and exercised by nine reputable citizens and electors of said city of Philadelphia, to be selected in the following manner, to wit: On the first Monday in June, Anno Domini one thousand eight hundred and fifty-nine, the judges of the district court for the city and county of Philadelphia, shall appoint three reputable citizens and electors of said city to be members of the board of guardians of the poor, as constituted under the provisions of this act, one to serve one year, one to serve two years, and one to serve three years; and annually thereafter the said court shall appoint one person to be a member of said board: the court of common pleas shall in like manner, and at the same time, appoint the same number of members of said board; and annually thereafter the said court shall appoint one person to be a member of said board: the judges of the supreme court of this state shall in like manner, and at the same time, appoint the same number of members of said board; and annually thereafter the said court shall appoint one person to be a member of said board: the select and common councils of the city of Philadelphia, in joint convention, at any stated meeting in June next, shall elect the same number of members of said board, one to serve one year, one to serve two years, and one to serve three years; and annually thereafter, at any stated meeting in June, said councils, in joint convention, shall elect one member of said board to serve for three years.

Duties of the board of guardians transferred to nine citizens appointed by the courts and councils.

SECTION 3. The members of said board thus appointed and elected shall meet on the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine, at ten o'clock in the morning, and shall then assume and exercise all the powers, duties, rights, liberties, authorities and immunities of the present board of guardians of the poor.

Time of meeting of the board

SECTION 4. The present board of health of the city and port of Philadelphia, as constituted and organized by and under an act for establishing a health office, and to secure the port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes, passed January twenty-ninth, Anno Domini one thousand eight hundred and eighteen, and an act, entitled "A further supplement to the act, entitled 'An Act to incorporate the city of Philadelphia,' passed February second, Anno Domini one thousand eight hundred and fifty-four," shall be abolished, and shall cease and determine from and after the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine; and all laws and parts of laws providing for the organization of said board, as now established, and un-

Board of health abolished.

der and by virtue of which said board of health is now constituted, by the election of its members by the qualified electors of the several wards of the city of Philadelphia, shall, from and after the said first Monday in July, Anno Domini one thousand eight hundred and fifty-nine, be repealed, and thereafter be of no force or effect, so far as the same shall conflict with the provisions of this act; and so much of said act as authorizes the qualified electors of each of the wards of the city of Philadelphia, annually, on the first Tuesday in May, to elect one citizen to serve as a member of the said board of health, be and the same is hereby repealed.

Duties of the board of health transferred to nine citizens appointed by the courts and councils.

SECTION 5. On the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine, and forever thereafter until otherwise provided by law, the powers, duties, rights, liberties, authorities and immunities of the board of health of the city and port of Philadelphia, as constituted and organized under the provisions of the acts of assembly mentioned in the fourth section of this act, and any and all other laws in relation to said board of health, shall be transferred and assigned to, and be assumed and exercised by, nine reputable citizens and electors of said city of Philadelphia, who shall be selected in the following manner, to wit: On the first Monday in June, Anno Domini one thousand eight hundred and fifty-nine, the judges of the district court for the city and county of Philadelphia, shall appoint three reputable citizens, and electors of said city, to be members of the board of health, as constituted under the provisions of this act, one to serve one year, one to serve two years, and one to serve three years; and annually thereafter the said court shall appoint one person to be a member of said board: the court of common pleas shall, in like manner, and at the same time, appoint the same number of members of said board; and annually thereafter the said court shall appoint one person to be a member of said board: the judges of the supreme court of this state shall, in like manner, and at the same time, appoint the same number of members of said board; and annually thereafter the said court shall appoint one person to be a member of said board: the select and common councils of the city of Philadelphia, in joint convention, at any stated meeting in June next, shall elect the same number of members of said board, one to serve one year, one to serve two years, and one to serve three years; and annually thereafter, at any stated meeting in June, said councils, in joint convention, shall elect one member of said board to serve for three years.

Time of meeting of the board of health.

SECTION 6. The members of said board of health, thus appointed and elected, shall meet on the first Monday in July next, Anno Domini one thousand eight hundred and fifty-nine, at ten o'clock in the morning, and shall then assume and exercise all the powers, duties, rights, liberties, authorities and immunities of the present board of health.

Vacancies in board of guardians and board of health, how supplied.

SECTION 7. That in case a vacancy occur in the said board of guardians of the poor, or the said board of health, from death, resignation or otherwise, it shall be supplied and filled, for the unexpired term of such member, by the court which appointed, or the councils which elected the member thus dying, resign-

ing, or otherwise vacating his seat in the board of which he was a member.

SECTION 8. That upon conviction, in any court of criminal jurisdiction, of any member or members of said board of guardians of the poor, or the said board of health, of any willful misapplication of the funds or property of the said boards, or funds or property of the city of Philadelphia, or of any fraudulent and corrupt official act, he or they so offending, and convicted, shall be sentenced to pay a fine of not less than one hundred, nor more than one thousand dollars, and undergo an imprisonment in the county prison for a term not exceeding one year, at the discretion of the court.

Penalty for violations of duty by members of guardians of the poor or board of health

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 396.

AN ACT

Changing the corporate name of the North-Western Coal Company, and empowering the said company to negotiate a loan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the North-Western coal company, incorporated under the act of twenty-first April, one thousand eight hundred and fifty-four, and the supplement thereto, be and the same hereby is changed to "The North-Western coal and iron company."

Name changed.

SECTION 2. That the said company, for the liquidation of its present debt and the prosecution of its business, be and it is hereby authorized to borrow money to an amount not exceeding one hundred thousand dollars, and to issue bonds or certificates of loan for the payment of the said money, in amount not less than one hundred dollars each, with or without coupons attached, and at a rate of interest not exceeding seven per centum per annum, payable semi-annually; and the directors of the said company for the time being, may fix the time for the payment and redemption of the said bonds or certificates of loan; and it shall further be lawful for the directors of the said company to secure the payment of said bonds or certificates of loan, by a

May borrow money and issue bonds.

Payment to be secured by mortgage.

mortgage or mortgages, executed in the corporate name of the said company, and under its corporate seal, to trustees to be named therein, on its lands, mines, railroad or railroads, franchises and all the property, real and personal, of said company, and the revenues, rents, issues and profits thereof, as they may deem best; and if so stipulated, the said company may continue in the possession and management of the mortgaged property, as well personal as real, without prejudice to the security of the mortgage or mortgages thereon.

Remedies upon
bonds, certifi-
cates of loan or
mortgages, &c.

Sale of rights,
franchises, &c.

Rights and in-
terests of pur-
chasers

Proviso.

Proviso

SECTION 3. That the remedies upon such bonds or certificates of loan, mortgage or mortgages, as are authorized by this act, shall be the same as are now provided and used in the case of such instruments executed by natural persons; and if in pursuance of any of the said remedies, a sale shall be made of the lands, mines, railroad or railroads, franchises and other property, real and personal, of said company, and the revenues, rents, issues and profits thereof, or any of them, or any portion or portions thereof, mortgaged as aforesaid, the purchaser or purchasers thereof, his or their heirs or assigns, shall take and hold the same right or interest therein as was held by and vested in the said company at the execution of the said mortgage or mortgages, with all the powers, franchises, rights and privileges, and under the same restrictions as the said company held the same: *Provided*, That the declaratory act, passed the twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six, respecting the interest on bonds or certificates of loan issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, Anno Domini one thousand eight hundred and forty-two, referred to therein, shall extend and be applied to the bonds or certificates to be issued under the present act: *And provided further*, That before any bonds or certificates of loan shall be issued under the provisions of this act, this act shall be approved and accepted by a majority in interest of the stockholders, who shall attend either in person or by proxy, at a meeting to be called by the president of the said company, to consider the same; of which meeting twenty days' notice shall be given by advertisements in two daily newspapers published in the city of Philadelphia, and in one newspaper published in Blairsville, Indiana county.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER,

No. 397.

A SUPPLEMENT

To the act incorporating the Clinton County Coal Company, authorizing the bondholders to organize a company, under the name, style and title of the Eagleton Coal Company.

WHEREAS, The Clinton County coal company were authorized by the eleventh section of an act of assembly of this commonwealth, passed the eighteenth of April, one thousand eight hundred and fifty-three, to borrow any sum or sums of money not exceeding two hundred and fifty thousand dollars, on bonds secured by mortgage of the whole or any part of the property or road belonging to the company, and the corporate privilege thereto belonging; Preamble.

And whereas, The said Clinton County coal company did, on the first day of February, Anno Domini one thousand eight hundred and fifty-four, borrow the sum of two hundred and fifty thousand dollars, and did issue the bonds of the said company, and did execute a mortgage, bearing even date with said bonds, on the whole of the property and road belonging to the company, and the corporate privilege thereto belonging, to secure the payment of the said bonds and the interest thereon accruing:

And whereas, The said company failed to pay the interest or principal of said bonds, and the whole property, railroad, and corporate privilege of said company having been sold, on and in pursuance of the terms of said mortgage, and purchased by a trustee for the use of said bondholders; and the said bondholders, as such owners, being desirous to enjoy the corporate privileges of the said Clinton County coal company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the bondholders of the Clinton County coal company, for whose use the property, railroad and corporate privileges were purchased at sale, under the mortgage, to have, hold and enjoy the said property and corporate franchise in as full and ample a manner as the same were held by said Clinton County coal company before said sale took place. Corporate rights and privileges of purchasers.

SECTION 2. That it shall be lawful for said bondholders to organize a company, under the name of the Eagleton coal company, and by that name may sue and be sued, plead and be impleaded, with the rights and privileges aforesaid. Name and organization.

SECTION 3. That the capital stock of said company shall be and consist of three hundred and fifty thousand dollars, and shall be divided into fourteen thousand shares, of twenty-five dollars each, of which the property so purchased shall constitute part, at such price as may be agreed upon between said bondholders and those who may associate with them, and the Capital stock.

balance of the stock to be paid by those who may subscribe for the same.

Officers, &c.

SECTION 4. That it shall be lawful for the said bondholders, for the purpose of organizing said company, to elect from their number a president, treasurer and five directors, who shall hold their offices until the next annual election, and until other persons shall be duly elected to fill their places; and the subsequent elections of said company to be held at the times, places, and in the manner provided by the act of incorporation of the said Clinton County coal company.

Individual liability.

SECTION 5. That the stockholders of the said Eagleton coal company shall be jointly and severally liable in their individual capacities for all debts due mechanics, workmen and laborers employed by, and for materials furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three, and shall pay such taxes on dividends as is or may be required by law.

Subject to

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 398.

AN ACT

To extend the Jurisdiction of the Orphans' Courts in case of Testamentary Trusts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the orphans' courts of the several counties of this commonwealth shall have full power and authority in all cases of trusts derived under, or created by any last will and testament, whether vested in executors, administrators with the will annexed, or any other trustee or trustees, to dismiss from such office or trust, any and all such trustee or trustees as aforesaid, whenever such courts shall be satisfied that there has been waste or mismanagement in the administration of such trust, or whenever the said trustee or trustees shall fail or neglect to pay over the principal or income of the trust funds, according to their duty

under their several trusts, or fail or neglect to comply with any order or direction of the said courts made in relation to said trusts; and shall further have power to make all such orders for the surrender and delivery of the funds, securities, moneys, books, accounts and papers belonging, or relating to said trusts, to such person or persons as such courts may appoint to receive the same, and to enforce obedience to such orders by attachment, execution, or otherwise, as to them shall seem necessary and proper for the due protection of the rights and interests of any and all parties interested under such trusts.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 399.

AN ACT

To legitimate Margaret Hast.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Margaret Hast, wife of John Hast, an illegitimate child of John Seigle, late of Bedford county, deceased, shall have and enjoy all the rights and privileges of a child born in lawful wedlock.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 400.

A N A C T

To incorporate the Bordeaux Steamship Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators.** Samuel Welsh, S. Morris Waln, F. J. Figueira, Joseph Harrison, Jr., John H. Diehl, Morris S. Hallowell, Thos. G. Hollingsworth, John B. Myers, P. F. Fontanges, David Jayne, John Garrison, Robert Ewing, S. S. Bishop, Thomas Webster, E. D. Whitney, Theodore Walter, W. A. Rhodes, Henry Winsor, and their associates, and all persons who hereafter may be holders of the stock hereinafter mentioned, shall and they are hereby declared to be constituted a body politic or corporate, by the
- Style.** name and style of the Bordeaux steamship company, to have perpetual succession, to be capable in law of suing and being
- Powers and objects.** sued, to have a common seal, and to purchase, build, charter, contract for, employ, equip and fit out steamships and all other vessels, with their appurtenances, necessary and proper for the propulsion and navigation thereof, to be sailed and navigated from the port of Philadelphia to Bordeaux, in France, touching at Lisbon, Vigo, or any ports in Portugal and Spain, with an auxiliary line of vessels from Philadelphia to Havana, in the Island of Cuba, for the purpose and object of carrying and transporting wares and merchandize, and conveying passengers and mails between the port of Philadelphia, and any one or all of the above mentioned ports; and to hold and enjoy all necessary rights and powers for receiving, loading, delivering and unloading any person or thing transported, or to be transported in said vessels; and it shall and may be lawful for said, the Bordeaux steamship company, their successors or assigns, from time to time, and at any time hereafter by the directions of a majority of the stockholders attending any meeting regularly called, to
- May mortgage or sell property.** mortgage, sell, exchange or dispose of the said steamships, or other vessels, or any of them, or their appurtenances, or any part thereof; and further, to have and enjoy all such other rights and powers as are, or may be properly incident to a corporation having for its object the transportation of merchandize, and the conveyance of passengers and mails by the means of steamships or other vessels.
- Capital stock.** **SECTION 2.** That the capital stock of said corporation shall consist of ten thousand shares, of one hundred dollars each, and that it shall be held as personal property, and as such be transferred under such regulations as the directors shall judge convenient; and any other corporation created by this commonwealth may subscribe to and hold stock in this corporation.
- Office of company, where located.** **SECTION 3.** That the office of the company shall be at the city of Philadelphia, in the state of Pennsylvania; and the general meeting of the corporators and stockholders shall be held annu-

ally on the first Monday of January, for the election of five directors, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, two weeks' public notice being first given in at least two daily newspapers in the city of Philadelphia, of that or of any other meeting of the stockholders.

Annual election
for directors.

SECTION 4. That the election of directors shall be by ballot from among the stockholders; and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, the stockholders present at the meeting, either in person or by proxy, shall severally have one vote for each share of stock held by them.

Election of direc-
tors, by-law^s, &c.

SECTION 5. That the directors shall continue in office until their successors be elected; shall elect a president from among themselves; shall supply vacancies in their number, whether occasioned by death, resignation, or refusal to act; and shall have the general and entire control of the affairs and interests of the company, unless otherwise provided by the stockholders; and at their meetings three members shall constitute a quorum.

Continuance in
office.

Vacancies, how
supplied.

SECTION 6. That until other officers be duly elected, the first five persons named in the first section of this act, shall be held to be directors of the said corporation, and shall have power and authority as such to receive subscriptions to the stock of the said company, in such form and manner as they may provide.

First directors
powers, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 401.

AN ACT

To attach Somerset county to the Middle District for the Supreme Court of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the county of Somerset, now attached to the Western district, be and the same is hereby attached to the Middle district for the supreme court of Penn-

sylvania; and that writs of error and appeals issued by the prothonotary of the supreme court of the Western district to Somerset county, and now pending and undecided, are hereby directed to be certified, with all papers relating thereto, by the prothonotary of the said Western district to the prothonotary of the Middle district, at Harrisburg, where they shall be heard and determined.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 402.

AN ACT

Relative to Taxes on Meadow Lands in the First Ward of the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all the provisions of the act passed April sixteenth, one thousand eight hundred and fifty-eight, relative to meadow lands in the Twenty-fourth ward of the city of Philadelphia, shall be applicable to all the meadow lands situate in the First ward of said city.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 403.

A N A C T

To incorporate the Centreville and Pineville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. Wilson Kirk, Isaac C. Kirk, Warren Dubree, Charles B. Ely, S. K. Betts and E. Walton, all of the county of Bucks, or any four of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock and organize a company by the name and style of the Centreville and Pineville turnpike road company, with power to locate and construct a turnpike road from Centreville to Pineville, in the county of Bucks, on or near the bed of the present road, with full power, however, to change the location of the same, so as to either shorten the distance or improve the road for traveling purposes, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed January sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided.

Commissioners

Style.

Route.

Subject to.

SECTION 2. That the capital stock of said company shall consist of four hundred shares of twenty-five dollars each: *Provided*, Said company may, by a vote of the stockholders, increase the capital stock so much as in their judgment may be necessary to carry out the true intent and meaning of this act.

Capital stock

Proviso.

SECTION 3. That the said Centreville and Pineville turnpike road company shall have the right to charge the same rate of tolls as is granted to the Bustleton and Somerton turnpike road company, by an act passed April fourteenth, one thousand eight hundred and forty, and shall have the privilege of charging tolls for the fractional part of a mile traveled, and not be liable for the fraction of a cent in making change for toll charged.

Tolls.

SECTION 4. That the provisions of the supplements to an act incorporating the Doylestown and Willowgrove turnpike road company, one passed the fourteenth of April, one thousand eight hundred and forty, and the other April ninth, one thousand eight hundred and forty-nine, are hereby extended to the said Centreville and Pineville turnpike road company.

Provisions of certain acts extended to.

SECTION 5. That the officers shall consist of one president, seven managers and one treasurer, and such other officers as may be necessary to conduct the affairs of the company, and elected as provided for by the third section of the act regulating turnpike and plank road companies.

Officers.

SECTION 6. That if the said company shall not commence the construction of the said road within three years, and complete the same in five years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company.

Limitation.

When authorized
to take toll.

SECTION 7. That when said company shall have made and completed their said road between the two points mentioned in this act, they shall have power to collect and receive toll on the same, notwithstanding the distance may be less than five miles; and said company may borrow any sum of money not exceeding two thousand dollars, for the purpose of completing said road, at any rate of interest not exceeding six per centum per annum, and secure the same by a mortgage on said road: *Provided*, No bond issued for any money so borrowed, shall be for a less sum than one hundred dollars.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 404.

A N A C T

To incorporate the Centre Valley Turnpike Road Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel B. Stout, Jacob Clymer, Aaron Larash, George W. Foering, Elias Zetty, Levi L. Jacoby, Reuben Heist, Jacob Erdman, David Huber, Ephraim L. Cope, Peter Benner, Henry Stoneback, John Weiss, Daniel Berger, Aaron Sacks, Enos Erdman, Aaron Desh, Jacob Jacoby and Levi Bean, of Bucks and Lehigh counties, or any seven of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Centre Valley turnpike road company, with power to construct a turnpike road from the Quakertown and Spinnerstown turnpike road, in Bucks county; thence extending upon or near the bed of the present road, with full authority to alter and change the same to the village of Centre Valley, in Lehigh county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto, approved the seventh day of April, one thousand eight hundred and forty-nine, except that the turnpike road company shall not be subject to that part of said act regulating tolls, but is hereby authorized to charge the same rate of tolls as are*

Style.

Route.

Subject to.

Exception.

allowed to be charged by the act incorporating the Quakertown and Sellersville turnpike road company, except that droves of cattle and sheep shall be exempt from the payment of toll when traveling on such turnpike road: *And provided further*, That Proviso when said company shall have made and completed two and a half miles of said road, they shall have power to collect and receive toll on the same.

SECTION 2. That the capital stock of said company shall consist of six hundred shares at twenty-five dollars each: *Provided*, That said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as, in their judgment, may be necessary to carry out the true intent and meaning of this act. Capital stock Proviso.

SECTION 3. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company. Limitation

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 405.

AN ACT

To incorporate the Hollenback and Hanover Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Henry C. Carey, Abraham Hart, George C. Carson, George Helmath, George P. Steele, John Bellis, John R. Nicely, George Search and Jediah Irish, or any five of them, be and hereby are appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Hollenback and Hanover turnpike road company, with power to construct a turnpike road from the end of Paddy's run bridge in Hollenback township, to a point in the public road at or near the residence of Washington Lee, in Hanover township, and county of Luzerne, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thou- Commissioners Style Route Subject to.

sand eight hundred and forty-nine, and the several supplements thereto.

Capital stock.

Proviso

SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty-five dollars each: *Provided*, That said company may, from time to time, by vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as in their opinion may be necessary to complete the road, and carry out the true intent and meaning of this act.

Tolls.

SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have the power to erect gates and receive tolls, agreeable to the conditions and restrictions of sections twelve and thirteen of the act of twenty-sixth January, one thousand eight hundred and forty-nine.

Susquehanna
railroad compa-
ny to lay track
on site of turn-
pike, on payment
of cost of con-
struction. &c.

SECTION 4. That the Susquehanna railroad company shall have the right to lay a railroad track on the site of the turnpike hereby granted, or any part of it; but the said turnpike company shall in such case be refunded the cost of construction by the said railroad company, of so much of said turnpike road as may be used for the purposes of the said railroad; and should any dispute arise as to the cost of construction, as aforesaid, either party may apply to the court of common pleas of Luzerne county, who shall appoint three men to ascertain such amount; and their award, approved by the court, shall be final and conclusive.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 406.

AN ACT

To authorize Walter J. Smith to erect a Ferry over the Allegheny River, at Warren.

Ferry authorized

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the period of ten years from the passage of this act, Walter J. Smith, his heirs and assigns, shall have the right and privilege, at his or their own expense, to make good and convenient

landings on each side of the Allegheny river, at the places now occupied by said Smith for that purpose, in Warren county, and to use the river between said landings as a public ferry; and also the right and privilege of erecting posts on any land or lands contiguous to or adjoining said lands, and to extend therefrom, and across said Allegheny river, a chain or wire, in order to facilitate the crossing of said stream: *Provided*, That the said chain or wire shall be so extended as not to interfere with, or obstruct the ascent or descent of crafts navigating said river: *Provided*, That the said Walter J. Smith, his heirs and assigns, shall pay to the owner or owners of said land or lands on which the before-mentioned posts may be erected, all damages which may accrue to said owner or owners in consequence thereof; which said damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons appointed by the court of quarter sessions of Warren county, and their report and proceedings shall be the same, in every respect, as in the case of opening roads under existing laws.

SECTION 2. That the said Walter J. Smith, his heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams, carriages, and others, across the river with all reasonable diligence and care.

SECTION 3. That the said Walter J. Smith, his heirs and assigns, for keeping and maintaining the said landing and ferry as aforesaid, shall receive compensation from persons passing over said river at said ferry, at the following rates, to wit: For each foot person, five cents; for each person and horse, ten cents; for each one horse carriage, fifteen cents; for each two horse carriage or wagon, twenty-five cents; for each four horse wagon, thirty-five cents; for each additional horse, five cents; for each yoke of oxen ten cents; and for each head of horned or neat cattle, led or drove, three cents; for each head of sheep or swine, led or driven, one cent.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any chain, wire or boat, or other property, or shall take from its mooring any craft or boat belonging to said ferry, he, she or they so offending shall each of them forfeit and pay to the said Walter J. Smith, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Walter J. Smith, his heirs and assigns, to be recovered as debts of like amount are recoverable.

SECTION 5. That all other persons are hereby prohibited from using the said river for the purpose of a ferry within half a mile above and half a mile below the said ferry; and any person or persons violating the provisions of this act shall forfeit and pay to the said Walter J. Smith, his heirs and assigns, the sum of one dollar for each and every traveler, team, head of cattle, horse or carriage carried over the river within the said above named bounds: *Provided*, That nothing in this act contained shall be construed to prevent persons owning the shore on both

LAWS OF PENNSYLVANIA,

sides of the river, within said limits, from transporting persons and property free of charge.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 407.

AN ACT

Authorizing the Finklepaugh Coal Company to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Finklepaugh coal company be and they are hereby authorized and empowered to borrow any sum of money, not exceeding in the aggregate the amount of one hundred thousand dollars, and for that purpose to issue bonds, redeemable at such time as the company may designate; said bonds shall not be for a less sum than one hundred dollars: Provided, That the time shall not exceed the time limited in the charter of said company, and the same to dispose of in such way and at a rate not more than ten per cent. below their par value, as the directors of said corporation may deem most advantageous to the interests of the company; and the said company are also hereby authorized and empowered to mortgage to trustees, for the protection and security of said bonds, all the real estate, mineral rights, mines, and their appurtenances, and all other the estate, real and personal, whereof said company is in any way entitled.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 408.

A N A C T

To incorporate the New Ephrata and Litiz Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Becker, John G. Hacker, David Martin, Jacob Roth, Commissioners Dr. Daniel E. Sherk, Peter Kartz, John S. Hacker, Adam Konigsmacker, Peter Martin, Samuel Nissly, John R. Hess, William Frazer, Samuel Keller, Joseph Doster, David Pfautz, Benjamin Bollinger, Samuel Lichtenthaeler, Jacob B. Tshudy, Francis W. Christ, John Beck, Christian H. Rauch and David Bricker, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the New Ephrata and Litiz turnpike road company, Style with power to survey and lay out and construct a turnpike from the town of New Ephrata to the town of Litiz, in Lancaster Route. county, subject to all the provisions, rights and restrictions of Subject to an act regulating turnpike and plank road companies, approved the twenty-sixth of January, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. The capital stock of said company shall consist Capital stock of five hundred shares at twenty-five dollars each, with power to increase the same, if necessary, to seven hundred shares.

SECTION 3. That if the said company shall not commence the Limitation construction of this road within three years, and complete the same within five years from the passage of this act, then it shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 409.

A SUPPLEMENT

To an act to incorporate the Hartsville and Centreville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the thirteenth section of the act incorporating the Bustleton and Somerton turnpike road company, approved April fourteenth, one thousand eight hundred and forty, are hereby extended to the Hartsville and Centreville turnpike road company, with all the privileges and restrictions contained therein; and so much of the said act incorporating the said Hartsville and Centreville turnpike road company as interferes with the same, is hereby repealed.*

SECTION 2. That said Hartsville and Centreville turnpike road company shall have the right to charge toll for the fractional part of a mile, and not be liable for the fractional part of a cent in making change.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 410.

A SUPPLEMENT

To an act to provide for the erection of a House for the Employment and Support of the Poor in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the directors of the poor and house of employment for the county of Allegheny shall have the power and authority to administer oaths or affirma-*

Directors authorized to administer oaths, &c.

tions, and examine such persons as they deem proper, under oath or affirmation, touching the business of their said offices as directors of the poor.

SECTION 2. That if any man, being in the limits of Allegheny county and not within the cities of Pittsburg or Allegheny, shall separate himself from his wife without reasonable cause, or shall desert his children, or if any woman shall desert her children, leaving them a charge upon the district, in any such case it shall be lawful for the said directors of the poor, upon complaint or information thereof being made to them by any citizen of the said county, to issue a warrant in their own name to take and seize so much of the goods and chattels, and receive so much of the rents and profits of the real estate of such man or woman as, in the judgment of the said directors, shall be sufficient to provide for such wife and to maintain and bring up such children, which sum or amount shall be specified in such warrant; but if sufficient real or personal estate cannot be found, then to take the body of such man (or woman) and bring him (or her) before said directors, at a time specified in such warrant; said warrant to be directed to the sheriff of said county, or to any constable in said county, and by them executed.

Duty of directors in case of desertion of children by parents, &c.

SECTION 3. That it shall be lawful for said directors of the poor, on the return of such warrant, to proceed in the same manner as magistrates are directed to proceed in like cases by the act of the thirteenth June, one thousand eight hundred and thirty-six, entitled "An Act relating to the support of and employment of the poor."

Further powers of directors

SECTION 4. That it shall be the duty of every constable in said county, upon the receipt of any order or warrant for the removal of any pauper to the said house of employment, signed by two justices of the peace, and to him directed, to execute the same by delivering the person or persons named therein to the keeper or steward of said house of employment, for which service he shall be entitled to receive thirty-five cents for serving each warrant, and ten cents per mile circular traveled in executing the same, to be computed from the place whence such pauper was removed: *Provided*, That when more than one pauper is removed by virtue of a single order, the mileage shall be five cents per mile in addition to the ten cents hereinbefore provided, and no more.

Duty of constable on warrant for removal of paupers

Fees.

SECTION 5. That whenever the person or persons named in any warrant as aforesaid cannot be removed to the house of employment, by reason of sickness or other bodily injury sustained by him or them, the constable to whom such warrant is directed shall make suitable provision, and furnish such relief as their situation may require, having regard to the interest of the county, and, as soon as practicable, notify the directors, in writing, of the facts of the case, who shall make provision for the payment of the same, and for which service he shall receive fifty cents, and three cents for each and every mile circular necessarily traveled: and as soon as the person or persons are able to be removed, it shall be the duty of the constable to remove the same to the house of employment; and in case of neglect or refusal to perform the duties hereby enjoined on him, he shall be liable to indictment for misdemeanor in office, and shall be

Provision to be made for persons who cannot be removed.

Constable to notify directors of cases that cannot be removed.

Compensation of constable.

Penalty for neglect to perform duties.

fined in any sum not less than ten nor more than fifty dollars, at the discretion of the court.

Collectors of taxes, relative to.

SECTION 6. That the several collectors of taxes in and for the county of Allegheny, excepting the cities of Pittsburg and Allegheny, shall hereafter pay the taxes which may be collected for the use of the directors of the poor and house of employment for said county, to the treasurer of said directors, and not to the county treasurer, as formerly.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 411.

AN ACT

To authorize the erection of a Lock-up House in the borough of Orwigsburg, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Orwigsburg, in the county of Schuylkill, be and they are hereby authorized and empowered to appropriate so much of the late county jail, not otherwise appropriated, for the security and temporary detention of persons committed by justices of the peace, or burgess of said borough, or members of the town council acting in his place, for any violations of the laws of this commonwealth, or of the ordinances of said borough, for which said person or persons could be lawfully committed to the common jail of said county, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided,* That no person shall be confined in said house, at any one time, for a longer period than forty-eight hours, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

Late county jail
to be appropriated
for lock-up
house

Provide.

Fees.

SECTION 2. That the legal fees for the arrest, commitment and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the party, the prosecutor, or the county of Schuylkill, as the issue of the case may require.

SECTION 3. That the burgess and town council, or a majority of them, shall have power to appoint a proper person to keep the said lock-up house, and they are hereby empowered to pay such person for such services, whatever the said burgess and town council, or a majority of them, may deem just and proper. said sum to be paid out of the funds of said borough. Appointment of keeper, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 412.

A N A C T

To authorize the Auditor General and State Treasurer to re-examine the account between the Commonwealth and the President, Managers and Company of the Northampton Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and the state treasurer be and they are hereby authorized and directed to re-examine the account between the commonwealth and the president, managers and company for erecting a bridge over the Lehigh river, near Northampton, and to re-settle and correct the errors contained therein, according to law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 413.

AN ACT

To repeal a part of the fourth section of an act to appoint Road Commissioners to take charge of a portion of the Warren and Ridgway Turnpike Road in Elk and Forest counties, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the fourth section of an act, entitled "An Act to appoint road commissioners to take charge of a portion of the Warren and Ridgway turnpike road, in Elk and Forest counties," approved the fifteenth day of April, one thousand eight hundred and fifty-eight, as authorizes the appropriation of a certain portion of the road tax, levied annually on the unseated lands in Tionesta township, Forest county, to the said Warren and Ridgway turnpike road, be and the same is hereby repealed.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 414.

AN ACT

To repeal the second section of an act providing for the Expenses of Roads and Poor, in Pitt township, in the county of Allegheny, approved the twenty-first of April, Anno Domini one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of the act, entitled "An Act providing for the expenses of roads and poor, in Pitt township, in the county of Allegheny," approved the twenty-first of April, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby repealed: Provided, That on the fourth Monday of April, in the present year, and at the annual settlement of ac-*

counts in each year hereafter, the auditors of said township shall estimate the value of the work they may believe necessary to be done upon the roads, and the probable expense of supporting the poor in said township, and fix the annual salary of the township officers, and the commission of the treasurer, not above five per centum: *And provided*, That the rates of the road and poor taxes shall not exceed seven mills on the county assessment for both purposes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 415.

A FURTHER SUPPLEMENT

To an act to incorporate the Conestoga and Beaver Valley Turnpike Road Company, passed twenty-seventh March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Conestoga and Beaver Valley turnpike road company, upon the completion, within the time, and on the route provided by law, of the portion of their road extending from the intersection of the Old Factory or Strasburg road with Middle street, in the city of Lancaster, to Mill Creek, in West Lampeter township, shall have the power to erect a gate or gates thereon, and receive tolls for such portion of roadway, according to the terms of sections twelve and thirteen of the act regulating turnpike and plank road companies, passed twenty-sixth January, one thousand eight hundred and forty-nine.

When gates may
be erected and
toll taken.

SECTION 2. That so much of the original act, or any of its supplements, relating to the said turnpike road company, as is inconsistent herewith, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 416.

A SUPPLEMENT

To an act incorporating the Hilltown and Sellersville Turnpike Road Company, approved April fourteenth, Anno Domini one thousand eight hundred and fifty-three.

Fraction of a
mile and making
change.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Hilltown and Sellersville turnpike road company shall have the right to charge for the fraction of a mile traveled over said road, and not be liable for the fraction of a cent in making change.

Free travel limited

SECTION 2. That the free travel over said road shall be limited to persons going to and returning from funerals, persons going from one part of their farms to another, and military companies on parade in uniform.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 417.

A SUPPLEMENT

To an act to repeal former acts relating to the borough of Schuylkill Haven, in the county of Schuylkill, and extending the general features of an act regulating boroughs, approved third April, Anno Domini one thousand eight hundred and fifty-one, to said borough.

Time and place
of meeting of
election judges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the election judges of the several wards of said borough of Schuylkill Haven, shall meet at the public house of widow Koons, known as Washington Hall, on the day succeeding each borough election, between the hours of one and four o'clock, P. M., for the purpose of ascertaining the number of votes cast

for borough officers, and notifying the persons elected to the different borough officers of their election.

SECTION 2. That the eighth section of the act to which this is a supplement, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby repealed. Repeal.

SECTION 3. That the qualified voters of the South ward of said borough, shall, on the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, at the place and in the manner heretofore directed by the court of quarter sessions of Schuylkill county, decide by ballot upon the propriety of changing the place of holding the elections for said ward, from the house of Edward Boyer to the house of Mary A. Koons; and that the qualified voters of the North ward of said borough, shall in the same manner, at the usual place of holding their elections for said ward, decide by ballot upon the propriety of changing the place of holding their elections, from the house of Nathan H. Butz to the house of Adam Snyder. Place of holding elections to be decided by ballot, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 418.

A N A C T

Relative to the Exemption of Three Hundred Dollars, and to the Widows and Children of decedents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the widow or children of any decedent, entitled to retain three hundred dollars out of such decedent's estate by the laws of this commonwealth, and every person entitled to the exemption provided for in the act, entitled "An Act to exempt property to the value of three hundred dollars, from levy and sale on execution or distress for rent," approved the ninth day of April, Anno Domini one thousand eight hundred and forty-nine, may elect to retain the same, or any part thereof, out of any bank notes, money, stocks, judgments or other indebtedness, to such person; and that in all cases hereafter, where property shall be set apart for the widow and children of any decedent, the same shall be

LAWS OF PENNSYLVANIA,

appraised and set apart to said widow and children by the appraisers of the other personal estate of said decedent.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 419.

A N A C T

To refund to the West Chester Gas Company, the amount of Tax overpaid by them to the State Treasury.

WHEREAS, The West Chester gas company paid to the state treasury tax upon their works, for the years one thousand eight hundred and fifty-three, one thousand eight hundred and fifty-four, one thousand eight hundred and fifty-five, and one thousand eight hundred and fifty-six, amounting to forty-eight dollars, to which the supreme court has decided they were not liable; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer refund the said money to the said company, from money in the treasury not otherwise appropriated.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 420.

A N A C T

To incorporate the New Britain Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Riale, Isaiah James, James E. Hill, Charles D. Matthews, Commissioners. Joseph Matthews, Jr., Oliver P. James, William Godshalk, Albert G. Hendrick, R. W. Hamilton, John R. Haldeman, Martin Eckhart, Michael Shellenberger, Joseph P. Matthews, Joseph Shewell, Peter Jacoby, James R. Scott, Benjamin Snodgrass, Isaac H. Riale, David Stephens, Enos Rotzell, Hazlett Gibson, Samuel Oakford, Henry Landes, Robert Johnson, David Barnett, Aaron Barnett, Rutledge Thornton, W. T. Rogers, Charles J. Shade, all of the county of Bucks, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company by the name and style and title of the New Britain turnpike road company, with Style. power to locate and construct a turnpike road, commencing at a point in the borough of Doylestown, and extending thence on Route. or near the bed of the present road by Godshalk's mill-dam, New Britain meeting house, leading to Whitehallville, and to terminate at said Whitehallville, or at or near Eckhard's mill, with authority to make connecting branch turnpike roads with the stations of the North Pennsylvania railroad, as now located at New Britain and Whitehallville stations, with full power and authority to change the same location so as either to shorten the distance, or improve the road for traveling purposes, Subject to. all the provisions and restrictions of an act regulating turnpikes and plank road companies, passed sixth of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided for.

SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each: *Provided,* Said company may, by a vote of the stockholders, increase the capital stock so much as in their judgment may be necessary to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That the said New Britain turnpike road company shall have the right to charge the same rate of tolls as is granted to the Bustleton and Somerton turnpike road company, passed April fourteenth, one thousand eight hundred and forty, and have the privilege of charging tolls for the fractional part of a mile traveled, and not liable for the fractional part of a cent in making change for toll charged. Rate of tolls, relative to.

SECTION 4. That the provisions of the supplements to an act incorporating the Doylestown and Willowgrove turnpike road company, one passed the fourteenth of April, one thousand eight hundred and forty, and the other April ninth, one thousand eight Provision of certain act extended to.

hundred and forty-nine, are hereby extended to the said New Britain turnpike road company.

Officers and managers.

SECTION 5. That the officers shall consist of one president, seven managers and one treasurer, and such other officers as may be necessary to conduct the affairs of the company, and be elected as provided for by the third section of the act regulating turnpike and plank road companies.

Limitation.

SECTION 6. That if the said company shall not commence the construction of the said road within three years, and complete the same in five years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 421.

A FURTHER SUPPLEMENT

To an act relative to Huckstering in the counties of Berks and Lebanon, passed the ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act relative to huckstering in the counties of Berks and Lebanon," passed the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto, passed the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six, shall not be held or construed to apply to any person or persons, not resident within the said county of Lebanon, purchasing marketable produce for cash within the said county of Lebanon, and selling the same elsewhere.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 422.

A N A C T

To incorporate the Thirteenth and Fifteenth Streets Passenger Railway Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Anspach, Junior, George M. Stroud, John Lambert, Edward Gratz, Morton M'Michael, Henry Haines, Stacey B. Barcroft, Peter C. Ellmaker, Philip R. Freas, Joseph Wood, Thomas S. Cromberger, Alfred C. Harmer, Michael Bouvior, John Welsh, William Deal, E. C. Kromer, George Williams, Bayard Robinson, Thomas Watson, James Benners, H. W. Fitzgerald, J. M. Bickel, George Magee, George W. Simons, George M. Hill, Samuel Lindsay, John Baird, John P. Verree, Robert Armstrong, Coffin Colket, E. C. Peehin, W. A. Edwards, E. T. Chase, J. M. Riley, Thomas C. Steele, James Harper, David M'Clain, John W. Forney, J. J. M'Elhone, James B. Sheridan, Samuel Williams, Dendy Sherwood, John H. Shryock, H. R. Coggshall, George A. Coffey, William D. Kelly, D. D. Jones, Stephen P. Hill, John Steele and James H. Walton, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Thirteenth and Fifteenth Streets Passenger railway company of the city of Philadelphia, with power to lay out and construct a railway from the intersection of Carpenter and Thirteenth streets; thence north along said Thirteenth street to Columbia avenue; thence west along said Columbia avenue to Fifteenth street; thence south along said Fifteenth street to Carpenter street; thence east along said Carpenter street to the place of beginning; and with power also to lay out and construct a railway from the intersection of Fifteenth street and Columbia avenue to Ridge avenue, and from Ridge avenue along Master street to Fifteenth street, for the purpose of making connection with any company now authorized, or that may be hereafter authorized to construct a railway on said Ridge avenue.

SECTION 2. That the said company shall have the right to purchase such real estate and erect such buildings and improvements thereon, and purchase such necessary equipments, as horses, cars and other vehicles and appendages for the conveyance of passengers on and over said railway, as may be deemed necessary or convenient for the accommodation and purposes of said company: *Provided*, That no freight or burden trains or locomotives shall be permitted to pass over said railway.

SECTION 3. That the capital stock of said company shall consist of six thousand shares of fifty dollars each, with the power of increasing the same by a vote of the stockholders, at a meeting convened for that purpose, to such an amount as may be deemed necessary to complete the said railway and carry out

- Proviso. the full and true intent and meaning of this act: *Provided*, That in no event shall the capital stock of said company exceed the number of ten thousand shares.
- Dividends. SECTION 4. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared semi-annually in each and every year, and be paid at the office of said company, any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company, for the amount so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter his or their written protest upon the minutes of the board, and give public notice of the same.
- Liability.
- Seal. SECTION 5. That the said company shall make and have a common seal, and the same to alter and renew at pleasure; and also shall have power to ordain, establish, and put in execution,
- By-laws. such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and generally to do all and singular the matters and things which to them shall lawfully appertain, for the well being of said corporation, and the proper order and management of the affairs thereof.
- President and directors. SECTION 6. That said company shall have power to elect or appoint a president and five directors, a majority of whom, with
- Majority of to be citizens of Philadelphia. the president, shall be citizens of Philadelphia, and such other officers as may be deemed necessary or expedient; and in every election for officers, each share of stock shall entitle the holder to one vote.
- May issue bonds. SECTION 7. That said company shall have power to raise on their bonds, or other securities, any sum of money not exceeding one-half of the capital stock thus authorized, for the purpose of carrying out and perfecting the true intent and meaning
- Proviso. of this act: *Provided*, That no bonds shall be issued, or any obligation incurred, until the whole capital stock of six thousand shares be paid in full: *And provided further*, That no bond,
- Proviso. or certificate of loan, shall be issued for a less sum than one hundred dollars.
- Not to connect with other than passenger railways. SECTION 8. That the said railroad company shall not connect with any railroad other than for passenger purposes, and of the same gauge, under the penalty of a forfeiture of their charter; and the said company shall annually pay into the treasury of
- Tax on dividends to be paid to city treasury. the city of Philadelphia, for the use of said city, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum on the said dividend thus declared.
- Councils to establish regulations relative to paving, curbing, &c. SECTION 9. That the councils of the city of Philadelphia may from time to time, by ordinances, establish such regulations in regard to said railway, as may be required for the purposes of paving, re-paving, grading, culverting and laying gas and water pipes in and along said streets, and to prevent obstructions

thereon; and that the said company in constructing said road, shall conform to the grades established by councils of the several streets and avenues traversed by said railway: *Provided*, That the streets thus occupied by said company, shall be by them kept in good order and repair at their own proper expense.

SECTION 10. That for the purpose of completing their circuit, it shall be lawful for any other passenger railway company within the city of Philadelphia, using the same motive power as is or may be hereafter used upon the road of the company hereby incorporated, to connect with the road of said company, and run their cars upon the same, or any portion thereof, upon terms to be agreed upon by said parties interested; and if the said parties cannot agree, then the district court of the city of Philadelphia shall, upon petition presented by either party, appoint three persons, who shall fix the amount to be paid to the parties owning said road: *And provided*, That for the purpose of completing their circuit on the route hereby authorized, and on no other route, the said company hereby incorporated shall have the right to run their cars upon any other passenger railway now incorporated, or that may be hereafter incorporated in said city of Philadelphia, upon such terms as are above provided for in the case of any other passenger railway company using the road of the company hereby incorporated.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 423.

AN ACT

To incorporate the Passenger Railroad Relief Association of Philadelphia.

WHEREAS, It hath been clearly shown, by experience, that associations for benevolent purposes, amongst those whose pursuits and daily avocations are of kindred nature, have often been productive of great advantage to those concerned therein; therefore, we, whose names are affixed to the annexed constitution, engaged on the Frankford and Southwark Passenger railroad, of the city of Philadelphia, being impelled by this truth, and admonished by the precarious nature of our business and the great vicissitudes and adversities to which its employees are liable, have agreed to form ourselves into a society, to be styled the Passenger Railroad relief association, which association shall have for its objects the distribution, under proper regulations, of pecuniary aid to such of its members as may at any time need

it, the pleasant interchange of kind feelings and views between them, and the arrangement and support of such room or rooms as may be necessary for their comfort and pleasure, which rooms may be at all times accessible to such of them as may be in good standing. In view of these objects, the members agree to fulfil with honor and good faith the duties required by the following constitution and by-laws, which, after mutual concert and due deliberation, have been adopted for their rule and government; thereupon,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

Corporators. George R. Biting, Charles R. Abbot, O. H. Ramborger, E. Stadleman, William Fisher, John F. Marlborough, Augustus D. Davis, William J. Copping, John Moore, J. B. Speakman, Jefferson Campbell, Charles L. Campbell, Bartley Collins and Joseph R. Hays, and their successors, and all persons who now are or who may hereafter be associated with them, be and are hereby created and erected into a body politic and corporate in law, by the name, style and title of the Passenger Railroad relief association, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all the courts of law and equity within this commonwealth and elsewhere, and be able to take and to hold, to them and to their successors, by gift, grant, devise or lease, any real estate, the annual income from which shall not exceed six thousand dollars, that may be deemed necessary and proper for the use of the said company; and by gift, grant, bargain and sale, will or bequest, any goods, chattels, sum and sums of money, from any person or persons whomsoever, and the same, at pleasure, to grant, bargain, sell and dispose of; to make by-laws and regulations for the government of the same, not inconsistent with the constitution and laws of the United States or of this commonwealth, and generally to do and perform all and singular the matters and things necessary and proper for them to do and perform for the well being and due management of the affairs of the said company.

Style and title.

Powers

Real estate, &c.

By-laws

Seal

SECTION 2. That it shall be lawful for the said company to have a common seal, and the same at pleasure to change, alter and renew, and also to exercise all the rights, privileges and immunities necessary for the purpose of the corporation hereby constituted.

Management to be vested in a board of managers.

SECTION 3. That the government and management of the affairs of the said corporation shall be vested in a board of managers, to consist of the elective officers of the said association, who shall be elected at such times and in such manner as the by-laws shall provide.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 424.

A N A C T

To incorporate the Chester Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin Gartside, George Baker, Amos Gartside, James Gartside, John Hall, Joseph Entwisle, Samuel Starr, James Irving, Jacob Linex and John M. Broomall, or any five of them, are hereby authorized to receive subscriptions of stock in the company to be incorporated by this act, and the persons so subscribing shall severally sign the following promise: We, whose names are hereunto subscribed, do severally promise to pay to the Chester steamboat company, twenty-five dollars for each and every share of stock set opposite to our respective names, at such times, and in such instalments as the directors of said company may require; and the said persons at the time of subscribing shall pay to the said commissioners an instalment of five dollars on each share of stock by them respectively subscribed.

Commissioners

Form of promise
of payment.

SECTION 2. When two hundred shares shall have been subscribed, and the first instalment thereon paid, the subscribers, and such as shall thereafter subscribe, shall become a body politic, by the name and title of the Chester steamboat company, and shall have power to purchase and build, hire and dispose of steamboats, wharves, depots, warehouses and other things necessary to carry into effect the objects of the incorporation. The said company shall have power to carry freight and passengers to and from any and all places on the Delaware river and bay, and all powers incident to a corporation and necessary for its objects.

When to become
a body politic
and corporate

Powers

Further powers

SECTION 3. That the capital stock shall not exceed fifty thousand dollars; shall be divided into shares of twenty-five dollars each, payable in such instalments as shall be fixed by the directors; and the said instalments shall be collected as other debts of like amount are collected by law; and no subscriber shall be entitled to the rights of a stockholder while any instalment due for sixty days shall remain unpaid.

Capital stock

Instalments, how
paid.

SECTION 4 The business of the said company shall be managed by five directors, who shall elect a president from their body, and a treasurer and secretary, who shall be stockholders. The first election for directors shall take place at a time to be fixed by the said commissioners, and ten days' public notice shall be given of the same. The directors shall be elected by the stockholders, each share entitling the holder thereof to one vote; and after the first one, the elections shall be held annually on the first Saturday in February, between the hours of one and four o'clock.

Management of
company.

Officers.

First election for
directors, when
held.

Votes

- Transfer of stock.** SECTION 5. The stock of the said company shall be assignable and transferable only upon the books of the corporation, in a manner to be fixed by the directors, and no share shall be assigned while any instalment remains due and unpaid upon it.
- Dividends.** SECTION 6. The directors shall have power to declare dividends of the profits of the company, whenever, in their opinion, the condition of its affairs will justify the same.
- Limitation.** SECTION 7. This act shall continue in force for thirty years. and no longer.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 425.

A FURTHER SUPPLEMENT

To an act to incorporate the Philadelphia and Reading Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the president and managers of the Philadelphia and Reading railroad company to extend the Lebanon Valley Branch of their railroad from its present termination, in the borough of Harrisburg, so as to connect with the Northern Central railroad at or near the town of Dauphin, in Dauphin county, and to enter in and upon, and occupy such land as may be necessary for the same, on the terms and conditions provided in the fourth section of the act passed the first day of April, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act to authorize the governor to incorporate the Lebanon Valley railroad company;" and in the construction and use of the extension aforesaid, the said company shall have, hold and enjoy all the rights, privileges and immunities that are at present secured to them, and shall be subject to the same liabilities, restrictions and provisions as are now imposed upon them by law in other parts of the road; and the said company is hereby authorized to purchase any part of any existing railroad for the purpose of completing the connection aforesaid: Provided, That before the said company shall avail themselves of the provisions of this act, they shall agree to pay into the*

treasury of the commonwealth three mills per ton per mile on all tonnage, except coal and lumber, passing over their road from Dauphin to Harrisburg, the same to be paid semi-annually, and to continue in force as long as a similar tax is chargeable on the Pennsylvania railroad company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 426.

AN ACT

To modify the existing Auction Laws of the Commonwealth, and to provide more effectually for the Collection of the State Tax or Duty on Auction Sales, in the city of Philadelphia and county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon any citizen of the United States, and of the state of Pennsylvania, paying into the state treasury the sum of two thousand, and giving bonds in the sum of five thousand dollars, with two or more sufficient securities, to be approved of by the judges of the court of common pleas of the city of Philadelphia, the governor thereupon shall grant him a commission of the first class, for one year, to make sales by auction, or by public outcry, or on commission, of real estate, stock, vessels, loans, and of any and every description of merchandize and personal property whatsoever, and to any amount, in the city of Philadelphia.

Terms of commission of the first class in Philadelphia

SECTION 2. That upon any citizen, as aforesaid, paying into the state treasury the sum of fifteen hundred dollars, and giving bonds, with securities as aforesaid, the governor shall grant him a commission of the second class, for one year, to make sales in said city by auction, or by public outcry, or on commission, of real estate, stocks, loans, vessels, and of any and every description of merchandize and personal property whatsoever, providing the sales so made of merchandize and personal property in any one year, does not exceed the sum of seven hundred and fifty thousand dollars.

Of the second class

SECTION 3. That upon any citizen, as aforesaid, paying into the state treasury the sum of one thousand dollars, and giving bonds, with securities, in the sum of three thousand dollars, the

Of the third class

governor shall grant him a commission of the third class, for one year, to make sales in said city by auction, or by public outcry, or on commission, of real estate, stocks, loans, vessels, and of any and every description of merchandize and personal property whatsoever, providing the sales so made of merchandize and personal property in any one year, does not exceed the sum of five hundred thousand dollars.

Of the fourth
class.

SECTION 4. That upon any citizen, as aforesaid, paying into the state treasury the sum of five hundred dollars, and giving bonds as aforesaid, the governor shall grant him a commission of the fourth class, for one year, to make sale by auction, or by public outcry, or on commission, of real estate, stocks, loans, vessels, and of any and every description of merchandize and personal property whatsoever, providing the sales so made of merchandize and personal property in any one year, does not exceed the sum of two hundred and fifty thousand dollars.

Of the fifth class.

SECTION 5. That any citizen, as aforesaid, residing and doing business not less than five miles from Independence Hall, in the city of Philadelphia, paying into the state treasury the sum of one hundred dollars, and giving bonds, with securities, in the sum of two thousand dollars, the governor, thereupon, shall grant him a commission of the fifth class, for one year, to make sales in said city by auction or by public outcry, or on commission, of real estate, stocks, loans, vessels, and of any and every description of merchandize and personal property whatsoever, providing the sales so made, of merchandize and personal property, in any one year, does not exceed the sum of fifty thousand dollars: *Provided*, That in case the sales of any auctioneer taking out a commission under the second, third, fourth or fifth class, shall exceed the maximum amount authorized by this act, he shall pay into the state treasury, at the close of each year in which his sales shall so exceed said maximum, the sum of one-half of one per cent. on the amount of such surplus sales, in addition to the amount paid for his original commission.

Proviso

Tax or duty on
sales

SECTION 6. That said auctioneers shall pay into the treasury of the commonwealth a tax or duty of one-fourth of one per centum on all sales of loans or stocks, and shall also pay into the treasury aforesaid a tax or duty, as required by existing laws, on all other sales to be made as aforesaid, except on groceries, goods, wares and merchandize of American growth or manufacture, real estate, shipping or live stock; and it shall be the duty of the auctioneer having charge of such sales to collect and pay over to the state treasurer the said duty or tax, and give a true and correct account of the same quarterly, under oath or affirmation, in the form now required by law.

To make true and
correct statement

Auctioneers of
Philadelphia
and Allegheny
county, duties of

SECTION 7. That any citizen obtaining an auctioneer's commission of either class in the city of Philadelphia or county of Allegheny, at the time of taking out said commission, be compelled to make oath that he will conform, in all things, to the true intent and meaning of the several auction laws of this commonwealth, according to the best of his knowledge, information and belief; and shall also make return, at least once each and every year, to the state treasurer, of the total amount of sales made by him at auction, or on commission, of merchandize and personal property, the same to be a true and correct account,

under oath or affirmation, before an alderman or justice of the peace of the said city or county.

SECTION 8. That it shall not be lawful for any person or persons to make sales by auction or by public outcry in the city of Philadelphia, or county of Allegheny, of real estate, stocks, loans, vessels, merchandize and personal property of any description, except it be by a duly commissioned auctioneer of the said city or county: *Provided*, That this act shall not be so construed as to interfere with any sales authorized by the courts of said city or county, or in consequence of any legal proceeding whatever, or of personal property sold in consequence of the owner declining business or housekeeping.

Commissioned auctioneers only to make sales, &c.

SECTION 9. That any person or persons found guilty of selling at auction or public outcry in the city of Philadelphia or county of Allegheny, except a duly commissioned auctioneer, shall be deemed guilty of a misdemeanor, and upon the conviction thereof in the court of quarter sessions of the peace of the said city or county, be sentenced to pay a fine of five hundred dollars, one-half to go to the informer, and the other half to go to the public school fund of the city or district wherein the offence was committed; and for the second offence he shall be sentenced to pay a like fine, and undergo an imprisonment in the county jail for thirty days, the fine to be applied as in the first offence.

Penalty for selling by persons not duly authorized.

SECTION 10. That no auctioneer in the city of Philadelphia or county of Allegheny shall, at the same time, have more than one house or store for the purpose of holding an auction; and every auctioneer in said city or county shall designate, in writing, such house or store, and also his partner or partners, if any, engaged with him in his said business, which said writings shall be deposited by such auctioneer with the recorder of deeds of the proper city or county; and no auctioneer shall expose to sale, by public auction or vendue, in said city or county, any goods, wares or merchandize or effects whatsoever, at any other places than in the said houses and stores respectively to be designated as aforesaid, except goods, wares or merchandize which shall be sold in the original package in which they are imported, domestic dry goods in original packages as they come from the manufacturers, stocks of dry goods, groceries, cabinet furniture, crockery and glassware at the warehouses or stores of the owners, the removal of which, to the auction stores, would be attended with risk and expense to the owners, goods of persons deceased, or of persons who are *bona fide* declining business, household furniture, musical instruments, live stock, carriages and such like articles as have been usually sold at auction in warehouses, or in public streets or wharves, or sales authorized by the courts of said city or county, or in consequence of any legal proceeding whatever; and if any auctioneer in said city or county shall enter upon the execution of his office, or shall permit any person to act in his behalf, without designating his said house or store, or his partner or partners, if any, in the manner and form herein prescribed, or shall hold any auction at any other place than the place so designated, except for the sale of the articles hereinbefore excepted, he shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in a sum not

Auctioneers to have but one store for sales, &c.

Place of business and partners to be designated in writing and filed with recorder of deeds.

Certain goods may be sold at places other than stores

Penalty

exceeding three hundred dollars; and it shall be the duty of the court before whom each conviction is had, to transmit forthwith a report thereof to the governor of the commonwealth, who is hereby authorized, in his discretion, to inhibit the person so convicted from acting as an auctioneer so long as such inhibition shall continue.

Duty of attorney general, &c.

SECTION 11. That in case the attorney general shall have reason to believe that any person, acting under a commission as an auctioneer aforesaid, has failed to make a just and full return of the amount of his sales, as required by this act, it shall be the duty of the said attorney general, either in person or by deputy duly authorized, to call at the regular place of business of said auctioneer, and make an examination of his books and papers, for the purpose of ascertaining the true amount of said sales; and with this view said officer or his deputy shall have authority to administer oaths and examine witnesses; and it shall be his duty, immediately upon the completion of such examination, to report to the auditor general the amount of sales thus ascertained to be made by said auctioneer, during each quarter, subject to the payment of the state tax or duty, specifying the different classes of such sales; for which service the said attorney general, or his deputy, shall be authorized to demand and receive from said auctioneer a fee of ten dollars, if in the city of Philadelphia, and five dollars, if elsewhere. In each case, and in case any auctioneer shall refuse to permit such examination, it shall be the duty of said officer to report the fact to the governor, who shall thereupon revoke and annul the commission of such offending auctioneer.

Repeal.

SECTION 12. That all former auction laws and parts of laws relating to auctions and auctioneers for the city and county of Philadelphia, or county of Allegheny, conflicting with the provisions of this act, be and the same are hereby repealed: *And provided*, That the provisions of this act shall only extend to the city and county of Philadelphia and county of Allegheny.

Proviso.

Auctioneers in the county of Allegheny, relative to.

SECTION 13. That auctioneers in the county of Allegheny shall be commissioned in the same manner and on the same terms as is provided in this act in relation to auctioneers in the city of Philadelphia, and shall be subject to the same regulations: *Provided*, That those doing business in the city of Allegheny, shall pay but one-half the rate for commissions established for those doing business in Philadelphia; and that those doing business in said county and not in any city, shall pay one-fourth the rates aforesaid: *And provided further*, That the state tax or duty upon sales of loans or stocks, within said county, shall be one-eighth of one per centum, and on all other sales, the amounts specified in this act.

Proviso

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 427.

A N A C T

To incorporate the Pine Grove Turnpike Road Company, in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Dunlap, William Burchfield, Esq., George Ard, Alexander Sample, Thomas Patton, Joseph Erb, L. Irwin Ross, John Bailey and George W. Meek, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Pine Grove turnpike road company, with power to construct a plank or turnpike road, partly clay and partly stone, or all of either, from Pine Grove, in Ferguson township, Centre county, by the nearest and best route, or as may be agreed upon by a majority of the board of managers, to connect with the Spruce Creek turnpike road, at or near Pennsylvania furnace, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, not inconsistent with the provisions of this act.

SECTION 2. That the capital stock of said company shall consist of four hundred shares of twenty-five dollars per share: *Provided*, That the company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as, in their opinion, may be required to complete said road.

SECTION 3. That if the said company shall not commence the construction of the said road within three years from the passage of this act, and complete the same within six years, this act shall be null and void, except so far as may be necessary to wind up the affairs of said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 428.

A FURTHER SUPPLEMENT

To an act to incorporate the Lykens Valley Railroad and Coal Company, in Dauphin county, approved the seventh day of April, A. D. one thousand eight hundred and thirty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Lykens Valley railroad and coal company, in Dauphin county, be and they are hereby authorized, after paying for all repairs and other necessary expenses, to expend the tolls and profits heretofore received, or hereafter to be received by the said company, in relaying the said railroad with iron rails, and in making such improvements upon said railroad as they may deem necessary and expedient; and the amount of all tolls, income and profits, after paying for such repairs and expenses which have been heretofore or may be hereafter expended for the purposes aforesaid, or like purposes, shall be deemed and taken to be so much capital stock paid in by the present stockholders; and they shall be entitled to receive certificates of the capital stock of the said company for the same amounts, at par, to be distributed among them *pro rata*, in proportion to the number of shares held by each at the time of issuing such certificates.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 429.

A N A C T

For the Payment of the Claim of Mary Wilson, widow of Thomas Wilson.

WHEREAS, By an investigation heretofore, a sum was found to be due to the estate of Thomas Wilson, and it is proper that the same should be liquidated and the obligations of the commonwealth honorably discharged; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to the representatives of Thomas Wilson, the amount of the state indebtedness to said Wilson, (as ascertained and stated in the act of assembly, approved April twenty-second, one thousand eight hundred and fifty-six,) together with interest upon the same from the date of the service rendered, deducting, however, from the total amount, any sum paid to said estate subsequent to said act: *And provided,* That the sum paid in compliance with this act, shall be in full of all demands whatsoever of said estate upon the commonwealth, and shall not exceed three hundred dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 430.

AN ACT

To incorporate the Union Market Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Morton M'Michael, Charles Gilpin, Frederick Server, George Fite, Corporators. William P. Hibberd, of Philadelphia; William Henry, George Cress, Edward Saterwait, Edward Moore, of Montgomery, and William Eyre, junior, Y. S. Walter, Levis Miller, Samuel Hill, Vanlier Eaches, Jacob S. Serrill, William Clemens, George Drayton, of Delaware, and Isaac W. Vanlier, Enos Smedley, Thomas U. Walker, Jacob Massey, William P. Serrill, Reuben E. Lewis, of Chester, and Amos S. Worthington, William Elmsly, E. G. Hannum, Elias Shellinberger, of Bucks, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate by the style of the Union Market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal and the same to alter and renew at pleasure, and Seal. to have, hold, receive, enjoy and take in fee simple, or upon

Powers	ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management, and maintenance of a market house in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage and create the necessary ground rent deeds, or convey the said real and personal estate.
Objects and purposes	SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all other things necessary for the use thereof, at any place within the limits of the city of Philadelphia, the same to be appropriated and used as a public market house for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions. The said market building, the stalls, or any one or more, or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers shall determine: <i>Provided</i> , That this act shall not be construed to prohibit persons renting stalls in said market, who may send or carry the produce of their farms to market, from selling or exposing for sale beef, mutton, veal, pork or poultry, in such quantities as they may desire, which may have been slaughtered on their farms, or butter and cheese or other articles manufactured or prepared thereon for market.
Proviso	
Capital stock.	SECTION 3 That the capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, divided into five thousand shares of fifty dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.
Government and control vested in nine managers, &c.	SECTION 4. That the government and control of the Union Market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of nine managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves; shall supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.
Officers	
Annual meeting of stockholders, when held	SECTION 5. That a general meeting of stockholders shall be held annually on the second Monday of January, for the election of nine managers and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall
Public notice of meeting to be given	take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least one daily newspaper in the city of Philadelphia, and one weekly paper in each of the counties of Chester, Delaware, Bucks and Montgomery; and special meetings of the corporation shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers, and the decision of all

questions, and at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall severally vote one for each share of stock held by them.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 431.

A SUPPLEMENT

To an act to incorporate the Fairmount Market Company, passed the sixteenth day of March, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have power, and it is hereby authorized to borrow any sum or sums, not exceeding fifty thousand dollars, for the purposes of said corporation; and in order to secure the payment of the same, shall issue their bonds therefor of not less than one thousand dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the said company, at the option of the holders.

May borrow money and issue bonds.

Bonds to be secured by mortgage.

SECTION 2. That the government and control of the Fairmount market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by a board of seven managers, who shall be elected by ballot from among the stockholders; and until such election be held, the persons named in the first section of this act to which this is a supplement, shall be held to be managers of the said corporation, and shall have power and authority as such; they may proceed to organize said company, and take in fee simple or upon ground rent, such real and such personal estate as may be necessary and proper for the ownership, and for the proper construction, and for the proper use and management and maintenance of a market house, and to obtain subscriptions to the capital stock thereof; and after four hundred shares shall have been subscribed, by not less than one hundred persons, and at

Management to be vested in board of managers.

Powers of managers.

Subscriptions to capital stock, relative to.

Election of directors, &c.

Vacancies, how supplied.

least five per centum paid in on said subscription, they shall provide, by advertisement, at least twice a week for two weeks, in two or more newspapers published in said city, for the election of a board of seven directors to be elected by the stockholders on the second Tuesday of January, and annually thereafter, to serve for one year, and until their successors shall be duly elected; and if for any reason said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company for said purpose, not more than two months later than said date; and the said directors shall supply all vacancies in their board by death, resignation, or otherwise, until the next annual election; but no person shall be elected a director who shall not be at the time a stockholder in said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 432.

AN ACT

Changing the venue of a certain action from Union to Northumberland county.

WHEREAS, A certain action of ejectment has been brought by Rebecca D. Quinn against Alfred Kneass, William Heart and Mary Jenkins, in Union county, and owing to certain prejudices and other causes, it is believed justice demands a change of the place of trial; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* a certain action of ejectment now pending in the court of common pleas of Union county, against Alfred Kneass, William Heart and Mary Jenkins, for February term, one thousand eight hundred and fifty-eight, number thirty-five, be and the same is hereby removed and transferred to the court of common pleas of Northumberland county, to be there tried, at one of the regular terms of said court, in the same manner as if it had been originally instituted in the last named court; and the record in said action shall be certified by the said court of common pleas of Union county to the said court of common pleas of Northumberland county for trial aforesaid; and on final judgment such

writs of execution shall be issued as may be necessary to carry the same into effect; and the said final judgment shall be subject to writs of error to the supreme court, as in other cases; and in case of reversal and new trial awarded, it shall be tried in Northumberland county, in the same manner as is hereinbefore described.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 433.

A SUPPLEMENT

To an act of the New York and Middle Coal Field Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the directors of the New York and Middle Coal Field railroad and coal company, be and they are hereby authorized to call a meeting of the stockholders of the said company, for the purpose of considering the propriety of selling and disposing of all the property, distributing the proceeds thereof, and surrendering the rights, franchises and privileges now by law vested in said company; of the time, place and object of which meeting due notice shall be given by publication in at least one newspaper published in the city of Philadelphia, and in one in the county of Northumberland, for four successive weeks before said meeting; and at the said meeting of stockholders the question of said sale, distribution and surrender shall be submitted, and a vote by ballot taken, for or against the same, each share entitling the holder thereof to one vote; and the ballots shall be cast in person or by proxy, given within four weeks before said meeting.

Meeting to be called to consider the propriety of disposing of the property of the corporation, &c.

Notice of meeting of stockholders to be published.

To vote by ballot for or against a sale.

SECTION 2. That if two-thirds of all the votes cast at said meeting shall be in favor of the said sale, distribution and surrender, then said directors or the survivors of them, shall for and in the name of said corporation, proceed to sell and dispose of the estate and property of said company, at public sale, for cash or on credit, and in such manner and at such time or times, and in such place or places as they may deem most expedient

Two-thirds vote required before sale and distribution can take place.

Duty of directors in selling and disposing of property.

Proceeds of sale
to be applied to
payment of
debts, &c.

Duty of directors
relative to sale
and distribution.

for the interests of the creditors and stockholders of said company; and shall and may, in the corporate name of said company, grant and convey the said premises to the purchaser or purchasers thereof, in fee, absolutely and without liability, in said purchasers to see to the application of the purchase money. The said board of directors shall, when and as they receive the proceeds of such sale, from time to time distribute and apply the same to the payment of all the debts and obligations of said company, and the surplus thereof equally to and among the stockholders, and shall file their accounts in the court of common pleas of Philadelphia county, and the same shall be therein settled and adjusted as in the case of the accounts of assignees.

SECTION 3. That when such sale and distribution shall have been made, that fact shall be certified by the said directors, and such certificate shall be filed in the office of the secretary of the commonwealth; upon the filing of which certificate all the rights, privileges and franchises heretofore possessed and exercised by said company, shall be held and regarded as surrendered to the commonwealth, as effectually as though the same had never been granted.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 434.

A N A C T

For the relief of the Sureties of Samuel W. Pearson, former Clerk of the Senate.

WHEREAS, It appears from the account of Samuel W. Pearson, former clerk of the Senate, as re-settled by the auditor general in pursuance of an act of assembly, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-eight, that the said Pearson remains indebted to the commonwealth in the sum of several hundred dollars:

And whereas, At the time said Pearson served as clerk as aforesaid, and for several years thereafter, he was the owner of property, more than sufficient to pay such indebtedness, out of which the amount due could have been collected, if the officers

of the commonwealth had exercised reasonable diligence, which property he has since disposed of:

And whereas, It is alleged by the said Pearson, that he had proper vouchers for the cancellation of said balance, which have been stolen from him, the truth of which statement has been attested by his oath; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sureties of the said Samuel W. Pearson, as clerk of the Senate, are hereby released from the payment of the balance now standing against him as clerk as aforesaid.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 435.

SUPPLEMENT

To an act to incorporate the Yardleyville Delaware Bridge Company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the eleventh section of the act to which this is a supplement, as provides that persons going to and returning from meeting or church, shall pass free from toll, be and the same is hereby repealed: Provided however, That this act shall not go into effect until a like supplement shall have been passed by the legislature of New Jersey.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 436.

A N A C T

To establish a Public Ferry over the West Branch of the Susquehanna river, near the Furnace of Beaver, Geddes, Marsh and Company, in Union township, Union county.

Ferry authorized SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Doctor Levi Rooke, Peter Beaver and Alfred Kneass, and such other persons as they may desire to associate with them, their heirs and assigns, shall have the right, at their cost, to make a good and convenient landing on the west and east sides of the West Branch of the Susquehanna river, and to use the said river between the said landings as a public ferry across the said river, near the Union furnace, belonging to Beaver, Geddes, Marsh and company.

To be kept in good order SECTION 2. That the said Levi Rooke, Peter Beaver and Alfred Kneass, and such other persons as they may associate with them, their heirs and assigns, shall keep the same landings and ferry in good order and repair, fit for the transportation and passing of men, horses and other animals, and carriages of all kinds; and, further, shall keep good and substantial boats and qualified ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travelers, cattle, wagons and carriages, as aforesaid, over the said river, with all reasonable diligence and attention.

Tolls SECTION 3. That the said Levi Rooke, Peter Beaver and Alfred Kneass, and those persons they may associate with them, their heirs and assigns, for keeping up and maintaining the said landings and ferry as aforesaid, shall receive from persons passing over the said river at said ferry, such price or fees as is or was customarily paid at other ferries on said West Branch of the Susquehanna river, subject to such rates and regulations as the court of quarter sessions of the county of Union may establish.

To be a rope or steam ferry. SECTION 4. That said Levi Rooke, Peter Beaver and Alfred Kneass, their heirs and assigns, shall have the liberty to make said ferry a rope or steam ferry, if they desire.

Authorized to build wharves. SECTION 5. That the firm of Beaver, Geddes, Marsh and company, and their successors, be and are hereby authorized to build and construct wharves at the West Branch of the Susquehanna river, near their furnace, called the Union furnace, and extend said wharves out into the river, so as to render it convenient for loading and unloading boats and other crafts, and keeping up and maintaining said wharves: *Provided*, That they shall not be so constructed as to impede the navigation.

Proviso

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 437.

A N A C T

Authorizing the settlement of the account of Levi G. Clover, late Collector at Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to settle the accounts of Levi G. Clover, late collector at Pittsburg, and the state treasurer is also authorized and required to pay to said Levi G. Clover, any balance that may be found due him upon such settlement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 438.

A S U P P L E M E N T

To the act incorporating the Attleboro', Hulmeville and Bristol Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to incorporate the Attleboro', Hulmeville and Bristol turnpike road company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby revived, and the time for the commencement of said road extended for the term of five years, and that of its completion for the term of ten years from the passage of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 439.

A N A C T

Supplementary to the acts incorporating the borough of Pottsville.

Appointment of
collector of tax-
es, &c

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Pottsville may hereafter appoint a collector of taxes for each ward of the borough, or may appoint one collector for two or more wards, or one collector for the whole borough, as the council may determine as best adapted to promote the public interest.

Paving, curbing
and keeping gut-
ters in repair,
relative to

SECTION 2. That in all cases where pavements or gutters have been made, or may hereafter be made in the said borough, and have become, or may become out of repair, if the owner, tenant or occupier of the premises, in front of which such pavements or gutters are or may be out of repair, shall neglect or refuse to amend or repair the same within ten days after notice given to such owner, tenant or occupier; and also in all cases where the owner, tenant or occupier of lots in the said borough, in front of which the side walks are not paved or curbed, shall neglect or refuse to curb and pave the same within sixty days after notice given to such owner, tenant or occupier, the town council may have such pavements or gutters duly amended and repaired, and said sidewalks paved and curbed, and the expense thereof shall be a lien upon the lot, in front of which the same may be done, until paid, and the amount thereof, with legal interest, may be collected as mechanics' liens are collected under existing laws; in all cases where the tenant or occupier of the premises shall pave, curb, amend and repair such pavements, sidewalks or gutters, upon notice as aforesaid, or who shall pay the expense thereof when done by the town council as aforesaid, may set off the amount thereof against the claim of the landlord or owner for the rent or occupation of the premises, in the same manner as taxes paid by the tenant can now be set off.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 440.

AN ACT

To authorize the Governor to appoint an Auctioneer for the borough of Scranton, Hydepark and Providence boroughs, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized and empowered to appoint and commission, for the term of five years, one suitable person in the borough of Scranton, as an auctioneer, who shall be authorized to sell at public auction, at such times and places as he shall select in the township of Providence, and the boroughs of Scranton, Hydepark and Providence, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned shall, before exercising any of the powers, or enjoying any of the privileges incident to said appointment, pay into the county treasury of Luzerne county, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury aforesaid, for the use of the commonwealth, one per centum upon all sales exceeding in amount the sum of ten thousand dollars: *Provided*, Nothing herein contained shall be construed to prevent any individual from selling his own household furniture, farming utensils, produce and mechanics' tools.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 441.

AN ACT

Authorizing the Supervisors of Carbon township, in Huntingdon county, to provide a Lock-up House at Coalmont, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Lock-up authorized. &c. the supervisors of Carbon township, in the county of Huntingdon, are hereby authorized to have built, or otherwise provided for, at the town of Coalmont, in said township, a suitable building or place for the security and detention of any person or persons committed by any justice of the peace or burgess of any borough in the aforesaid township, for any violation of the laws of this commonwealth, or of any ordinance of the borough in which said burgess resides, for which such person or persons could lawfully be committed to the common jail of said county of Huntingdon, there to remain and to be kept until such offender or offenders can be removed to the said common jail, if committed for an indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, and it may be necessary to detain him, her or them for a legal examination.

Proviso.

Expenses for committing and keeping persons, to be borne by county.

SECTION 2. That the expenses of committing and keeping any person or persons in said house or place, on a charge of any indictable offence, shall be paid by the said county of Huntingdon, and for all offences against the ordinances of any borough, the expenses thereof shall be borne by the said borough.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 442.

A N A C T

To cure an irregularity in the incorporation of the borough of Carmichaels, and to declare certain Judicial Proceedings therein valid.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the erection and incorporation of the town of Carmichaels, in Greene county, into a borough, by the court of quarter sessions of said county, on the fifteenth day of June, one thousand eight hundred and fifty-five, be and the same is hereby made valid and legal from that date, notwithstanding the omission to have the petition and decree therefor recorded in the recorder's office of said county; and the record of the proceedings, and decree

therein, as entered upon the sessions docket of the said court, may yet be recorded in the recorder's office of said county, with the same force and effect as if the petition and decree had been duly recorded in the same office; and no acknowledgments of deeds, or other instruments, before the justices of the peace of the said borough, nor any other judicial proceeding by or before the said magistrates, or any of the borough officers thereof, heretofore had or commenced, shall be invalidated, avoided or impaired, by reason of the omission before mentioned; but all such proceedings shall be and remain as effectual and valid, as if the aforesaid petition and decree had been duly recorded.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 443.

A N A C T

To authorize the payment of the claim of John C. Cauch, of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and directed to pay to John C. Cauch the sum of two hundred and forty-six dollars and seventy cents, the amount due him for plank delivered by him to the officers of the Upper Juniata division of the Pennsylvania canal, for the use of the commonwealth, during the month of November, Anno Domini one thousand eight hundred and fifty-six, to be paid out of any moneys not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 444.

A N A C T

Relative to the Enrolment Tax on certain Acts of Assembly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the second section of the act of assembly, approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not be held or taken to apply to the act to incorporate the Washington fire company of Germantown, in the city of Philadelphia, approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-seven, but that said act of incorporation shall be and remain in full force and effect, as originally enacted, any thing in the above recited act to the contrary notwithstanding: Provided, That said company shall pay into the state treasury, within six months after the passage of this act, an enrolment tax of ten dollars: And provided further, That the American Literary Union of the city of Philadelphia, incorporated the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, and the Pennsylvania Literary Union of the city of Philadelphia, incorporated the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, be and they are hereby authorized to procure at the state department, certified copies of said acts of incorporation, on the payment to the state treasurer of an enrolment tax of ten dollars each.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 445.

SUPPLEMENT

To the act to limit and regulate Sequestrations in case of the Erie Canal Company, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the fifth section of the act of the ninth of April, Anno Domini one thousand eight hundred and fifty, entitled "An Act to limit and regulate sequestrations in case of the Erie canal company," as prohibits the said company from purchasing any of its bonds or obligations until the interest is fully paid thereon, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 446.

A SUPPLEMENT

To an act to incorporate the West Philadelphia Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it is hereby declared to be the true intent and meaning of the first section of a supplement to an act to incorporate the West Philadelphia Passenger railway company, approved the fourteenth day of May, one thousand eight hundred and fifty-seven, and its true and legal effect shall be, that in all cases where said railway company has issued, or may hereafter issue, bonds, certificates of loan, or evidences of indebtedness, executed by this company, and has disposed, or may hereafter dispose of the same, at less than their par value, such transactions shall not be

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deemed usurious, or in violation of any law of this commonwealth prohibiting the taking of more than six per cent. interest.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 447.

AN ACT

To authorize the Removal of the Dead interred in the grounds connected with Saint Stephen's Church, Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the vestry of Saint Stephen's Protestant Episcopal church, Harrisburg, are hereby authorized and empowered to remove from the grounds connected with said church, the remains of all the dead interred therein, and to re-inter the same in such lots in the cemetery adjacent to Harrisburg, as the friends and relatives of the dead may select and pay for; but if no such selection be made, then to have the same re-interred in such lots in said cemetery as the said vestry, at their own expense, shall select and provide; any and all tombstones or monuments having been paid for by the friends or relatives of such deceased, and placed over their remains, shall be re-set over the same when re-interred in the cemetery.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 448.

A N A C T

To legalize the Township Election in Terrytown, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the township election last held in the township of Terrytown, be and the same is hereby declared to be valid in the same manner as if the same had been held at the same house as heretofore.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 449.

A N A C T

Authorizing the removal of the Dead from the Burying Ground deeded to the First Methodist Episcopal Church of Norristown, Montgomery county, Pennsylvania, to the Norris City Cemetery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the First Methodist Episcopal church of Norristown, be and are hereby authorized to remove the dead from the old burying ground deeded to them by John Supplee, and others, to the adjoining grounds of the Norris City cemetery company : Provided, That the said trustees build, or cause to be built, a vault in the said cemetery, equal in dimensions and finish to the*

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one now in the old burying ground occupied by the remains of the Supplee family, and deposit therein said remains.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 450.

A N A C T

To adjust the account of F. Knox Morton, late Treasurer of the city and county of Philadelphia.

WHEREAS, The accounts of F. Knox Morton, late treasurer of the city of Philadelphia, have been finally settled and adjusted, and in said settlement he is charged with the receipt of six thousand and sixty-six dollars and fifty cents, which were never received by him, and no credit has been given to him for four thousand seven hundred and twenty-five dollars and sixty-nine cents, which were paid by him to the credit of the commonwealth, making the balance in said account greater against him by ten thousand seven hundred and eighty-five dollars and nineteen cents, than it should be; said money paid by him, for which he received no credit, is as follows: To certain aldermen in the city of Philadelphia, their cost incurred in suits instituted for the commonwealth for mercantile taxes, one thousand seven hundred and thirty-nine dollars and thirty-three cents, and for advertising in the public newspapers two thousand nine hundred and eighty-six dollars and thirty-six cents; said suits having been instituted, and the said advertising having been done in good faith to the commonwealth, it is just that the public officer should be allowed for the same. The charges against the said F. Knox Morton, from which he prays to be relieved, are as follows: He is charged with four thousand and eighty-five dollars for tavern licenses that were never taken out by the parties entitled to take out the same; and also for retailers' licenses, which he has been unable to collect, in consequence of the parties having appealed from the aldermen's decisions, amounting to one thousand nine hundred dollars and fifty cents:

And whereas, Much delay was experienced in settling and adjusting the account of said treasurer, arising from the fact that no person was authorized by law to make such final settlement, and legislation became necessary to effect it, it is just and

proper that interest upon the balance so found to be due should be charged from the final settlement of the account :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a further credit be allowed upon the settlement of the account of F. Knox Morton, late treasurer of the city and county of Philadelphia, in favor of said treasurer, of the sum of ten thousand seven hundred and eighty-five dollars and nineteen cents, and that interest shall be charged upon the balance due by him to the commonwealth (after such further credit) only from the sixteenth day of December, Anno Domini one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 451.

A N A C T

To authorize the Town Council of the borough of Hollidaysburg, to license Drays and Carts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the burgess and town council of the borough of Hollidaysburg, to establish, by ordinance, rates of license on all drays, carts, wagons or other vehicles passing in or through said borough; and the said burgess and council are hereby fully empowered not only to enact such ordinance, but to collect the rates therein ordained, from all persons, firms or corporations owning vehicles, that may use the streets of said borough, whether the said persons, firms or corporations be resident or non-resident therein, under such penalties, not exceeding fifty dollars in each instance, as they may see fit to prescribe in the ordinance herein provided for: *Provided,* That this section shall not be so construed as to authorize the collection of licenses from farmers bringing their produce to market, or from strangers or travelers passing through or driving in said borough; nor shall this act extend to and include non-residents bringing and delivering in said borough, lime, sand or building stone; and that any ordinance

passed in pursuance thereof, shall be published as other ordinances of the borough of Hollidaysburg are required to be published.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 452.

AN ACT

Providing for the Recording of Certain Papers in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prothonotary of the county of Schuylkill is hereby authorized and required to record, in a book or books, all sheriff's inquisitions, and all orders and proceedings of court in relation to partitions and common recoveries that may have taken place previous to the commencement of the record of such proceedings, under the act passed for that purpose, and approved the ninth day of April, one thousand eight hundred and forty-nine.

Duty of prothonotary relative to recording certain papers, &c

Duty of clerk of the quarter sessions relative to recording certain papers

SECTION 2. That the clerk of the court of quarter sessions of the said county of Schuylkill is hereby authorized and required to record, in a book or books, all orders and proceedings of the said court that may have been had in relation to the division of townships, the alteration of the lines thereof, or the erection of new townships in the said county; and he is also hereby further authorized and required to procure from the counties of Berks and Northampton, certified copies of the proceedings had in the said counties, in relation to the establishment of the townships originally composing the said county of Schuylkill, and record the same in the aforesaid book or books.

Certified copies of certain records to be evidence.

Fees of prothonotary and clerk.

SECTION 3. That the records aforesaid, or certified copies thereof by the proper officer of the said respective courts, and certified copies of all records under the said act of the ninth of April, one thousand eight hundred and forty-nine, shall be admitted in evidence in all cases where the originals might or would be; and that the fees of the said officers for the performance of the duties aforesaid, and for making certified copies of the records hereinbefore mentioned, shall be the same as allowed by law to the recorders of deeds for similar services; and that

the expenses of the said recording, and of procuring the said papers from the counties of Berks and Northampton, shall be paid by the treasurer of Schuylkill county, on orders drawn by the commissioners thereof in the usual manner.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 453.

A N A C T

To authorize the State Treasurer to refund to Samuel Baird certain money paid by him.

WHEREAS, Samuel Baird, of the county of Allegheny, was sued by Alexander Hanna, for himself as well as for the use of the commonwealth of Pennsylvania, for an alleged usurious contract, and a judgment was had against the said Samuel Baird in the said suit, it being number one hundred and fifteen of July term, Anno Domini one thousand eight hundred and fifty-two, in the district court of Allegheny county:

And whereas, The said Samuel Baird has paid the one-half of the said judgment to the plaintiff, Alexander Hanna, and the other half to the state treasurer, together with the costs of suit: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to refund to the said Samuel Baird the amount paid by him into the treasury on the said judgment.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 454.

A N A C T

Authorizing the Sheriff of Mifflin county to appoint William Shimp Deputy Sheriff thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas E. Williams, high sheriff of Mifflin county, be and he is hereby authorized and empowered to depute William Shimp to do and perform all the duties of sheriff in said county; in the absence of the present high sheriff from said county; and the deputy aforesaid shall be answerable, on rule and attachment, in like manner as the sheriff would be if in the county: *Provided*, The sureties of the sheriff shall give their consent to the said deputation; and that the said high sheriff and his sureties shall be bound by the acts of said deputy, as fully and effectually, to all intents and purposes, as by the acts of the said high sheriff himself.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 455.

A N A C T

To incorporate the Philadelphia and Olney Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Samuel C. Ford, John P. Verree, John Landell, John Turner, Charles Robbins, John Roberts, Joseph T. Ford, Thomas Drake, Charles Camblos, Thomas E. Potter, James Lynd, Henry Simons, Isaac Norris, Samuel Wright, Joshua Lippincott, George P. Evans, James N. Dickson, John Houghton, M. D., are hereby appointed commissioners to open books, sell stock, and organize

Corporators

a corporation, to be called the Philadelphia and Olney railroad company, with all the rights and privileges, and subject to all the conditions and restrictions conferred or imposed by an act to regulate railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, and with all the rights and privileges enjoyed by any railroad company now incorporated, or which may hereafter be incorporated, located in the city of Philadelphia: *Provided*, That this company shall not alter the grade of any road or street over which the same shall be constructed, unless authorized to do so by the board of surveys of the city of Philadelphia. Style.
Subject to.
Proviso.

SECTION 2. That the said Philadelphia and Olney railroad company are hereby authorized and empowered to construct a railway, of the same gauge as the present passenger railways in the city of Philadelphia, of one or more tracks, from Lehigh avenue to the village of Olney, in the Twenty-second ward of the city of Philadelphia, with the right to extend the same to the village of Fox-chase, in the Twenty-third ward of said city, either on, over and upon the line of the Kensington and Oxford turnpike road, or any part thereof, or by, along or over any route between said road and Seventh street, and to connect their said railroad either with the Second and Third Street railroad, or the Frankford and Southwark City Passenger railroad, and for that purpose to use any street or streets of the said city of Philadelphia, in manner and form as provided by the fourth section of an act, entitled "An Act to incorporate the Second and Third Street Passenger railway company," approved the tenth day of April, Anno Domini one thousand eight hundred and fifty-eight: *Provided however*, That before the said railroad company shall take possession of, or occupy the whole or any portion of the said turnpike road, the consent of a majority of the stockholders thereof shall be first had and obtained thereto. Powers.
Route, &c.
Subject to.
Proviso.

SECTION 3. That the capital stock of said company shall consist of two thousand shares, of the par value of twenty-five dollars each: *Provided*, That the said company may from time to time, by a vote of the stockholders at any general or special meeting, increase the capital stock to an amount not exceeding four thousand shares, if it should be deemed necessary for the purpose of completing and equipping the said railroad; and the said company shall have the power to borrow any sum of money, not exceeding in amount the one-half of their capital stock, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the execution of a bond and mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bond and mortgage, the privilege of converting the same into the capital stock of said company, at par, at the option of the holders, if they shall signify their election so to do at any time previous to one year before its maturity, and to issue certificates of loan of a denomination not less than one hundred dollars, secured by said bond and mortgage. Capital stock.
Increase of.
May borrow money.
Issue bonds and execute mortgage.

SECTION 4. That when the said railroad, or any part or parts thereof, shall have been constructed and completed, the said company shall be authorized to charge and receive as tolls for Tolls

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the carriage of passengers, not more than ten cents for each passenger conveyed three miles, or any distance under three miles, and for any distance beyond three miles, at the rate of not more than three cents per mile, all fractional parts of a mile being considered and charged as one mile.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 456.

A N A C T

In relation to the Ferry at Shamokin Dam.

Preamble.

WHEREAS, Doctor Isaac Hottenstein, the present owner of the property and ferry opposite the borough of Sunbury, in the township of Monroe, in the county of Snyder, and all who have heretofore owned the said property have kept, maintained and enjoyed, for eighty years past and upwards, the undisputed right and privilege of ferrying persons, carriages, teams, wagons, cattle, &c., &c., from the west side of the river Susquehanna to the east side, in the borough of Sunbury:

And whereas, In the year A. D. one thousand eight hundred and twenty-eight, by the constructing of the Susquehanna division of the Pennsylvania canal through the property of the said Doctor Isaac Hottenstein, his wharf and landing on the western shore of the said river, at the said ferry, was destroyed; and the canal commissioners built, or caused to be built, outside of the said canal, for the said ferry, a landing, and also constructed, for the use of the said ferry, a bridge across the canal, all of which was accepted and enjoyed by the said Dr. Isaac Hottenstein:

And whereas, The said Doctor Isaac Hottenstein has never sought to recover from the state for damages sustained by reason of the building or constructing of the canal through his land for upwards of a mile, nor any damages for the land taken and used by the state for a lock house, nor for the land taken by the state in constructing the western abutment of Shamokin dam. Now, for the purpose of more fully confirming the title of the said Doctor Isaac Hottenstein, his heirs and assigns, in the said ferry, as he has always heretofore used and enjoyed the same, and also for the purpose of settling all or any claims for

damages which the said Doctor Isaac Hottenstein may have or had against the commonwealth for or by reason of the constructing of the said canal, as well as for the said land so as aforesaid taken and occupied ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Doctor Isaac Hottenstein, his heirs and assigns, shall have the exclusive right and privilege to ferry persons, carriages, teams, horses, wagons, cattle, &c., &c., from the west side of the Susquehanna river, opposite the borough of Sunbury, to the east side thereof, as he has heretofore and now doth enjoy the same. Rights and privileges.

SECTION 2. That the said Doctor Isaac Hottenstein, his heirs or assigns, shall at all times, as occasion may require, keep good and substantial boats, crafts and other necessary vessels, and careful ferrymen to attend the said ferry, and for their services shall receive such compensation as other ferries on the said river receive for like services: *Provided*, That the privileges hereby granted shall be in full satisfaction of all or any claims for damages the said Doctor Isaac Hottenstein may have or had against the commonwealth for the constructing of the said canal, lock house, dam, &c. To be kept in good order and repair, &c.
Compensation.
Proviso.

SECTION 3. That any person or persons, corporation or corporations, violating or offending against any of the rights or privileges hereby granted to the said Doctor Isaac Hottenstein, shall be guilty of a misdemeanor, and liable to a fine of twenty-five dollars for each and every violation, to be applied to the support of the common schools of the district in which suit may be brought, in either of the counties of Northumberland or Snyder. Penalty.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 457.

A N A C T

Relating to the Election of Overseers of the Poor in the borough of Blairsville, and in the township of Burrell, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Overseers of the poor, time of election. the qualified electors of the borough of Blairsville, in the county of Indiana, shall, at the first borough election held in and for said borough, after the passage of this act, and annually thereafter,

To be a separate district for the support of the poor. after, elect two overseers of the poor, to serve for one year; and the said borough shall, from and after the said first borough election, be a separate district for the support of its poor.

Burrell township to elect two overseers of the poor. SECTION 2. That the qualified electors of the township of Burrell, in the county of Indiana, shall, at the first township election held in and for said township, after the passage of this act, and annually thereafter, elect two overseers of the poor to serve for one year; and the said township, from and after the said first township election, shall be a separate district for the support of its poor.

To be a separate district for the support of the poor.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 458.

AN ACT

To change the time for Electing the Officers of the Lehigh and Berks County Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for electing the officers of the Lehigh and Berks County turnpike road company be changed from the first Monday in November, to the third Monday of November, and all acts inconsistent herewith be and the same are hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 459.

AN ACT

Declaring Willow Creek, in Warren and M'Kean counties, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Willow creek be and hereby is declared a public highway from its mouth, in Warren county, to its source, in M'Kean county.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 460.

AN ACT

To incorporate the Pequea and Beaver Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John Strohm, Francis Mylin and John Peoples, of Providence township; John Bowman, Daniel Henpequea, Michael Groff and Patrick Reynolds, of Strasburg township; Christian B. Herr, John Rohrer, Jacob Herr and Christian Lefever, of West Lampeter township, in the county of Lancaster, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Big Spring and Beaver Valley turnpike road company, with power to construct a turnpike road, from a point on the Strasburg and Bluerock road, between the Big Spring and the eastern line of Christian Rohrer's land, in West Lampeter township, to the bridge over Big Beaver creek, near the Green Tree, in Strasburg township, along the route of the present public road, between the above designated points, with the right to deviate from the*

Authorized to build bridge, &c. Subject to. old road wherever deemed expedient, and use the bridge across Pequea creek, on said road, or cross the creek near it, and erect a new bridge, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto, passed April seventh, one thousand eight hundred and forty-nine.

Capital stock. SECTION 2. That the capital stock of said company shall consist of six hundred shares at twenty-five dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.

Tolls. SECTION 3. That whenever the said company shall have finished said road, they shall have power to erect gates and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the said act relating to turnpike and plank road companies.

Limitation. SECTION 4. That if the said company shall not commence the construction of their road within two years from the passage of this act, and complete the same within five years, this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 461.

AN ACT

In relation to the borough of North Lebanon, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the territory within the present limits of the borough of North Lebanon, in the county of Lebanon, laying north of the Union canal, be and the same is hereby excluded from said borough, and the same is hereby re-annexed to the township of North Lebanon; and that hereafter the general and township elections of said township shall be held at the public house of*

Jonathan Geesaman, until otherwise ordered, in the manner now provided by the election laws of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 462.

A SUPPLEMENT

To an act repealing the act relative to Roads and Bridges in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of the act, entitled "An Act repealing the act relative to roads and bridges in the county of Mercer," approved the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, shall not take effect until the first day of January, one thousand eight hundred and sixty.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 463.

A N A C T

For the relief of Sabina Bachman, of Northampton county.

WHEREAS, John F. Bachman was, on the second Tuesday of October, A. D. one thousand eight hundred and fifty-seven, duly elected, and afterwards commissioned clerk of the court of quarter sessions, and of the court of oyer and terminer, of Northampton county, and on the twenty-ninth day of April following died, leaving his widow, Sabina Bachman, and two children, destitute:

And whereas, Peter Bellis was duly commissioned to the said offices until a successor was duly elected and qualified, he holding the said offices for the exclusive benefit of the widow:

And whereas, The proceeds of the said offices have been very little, compared with the tax paid on the several commissions; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the county treasurer of Northampton county is hereby authorized to refund to the said Sabina Bachman the sum of forty dollars, tax on commissions paid, and to charge the same to the commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 464.

A N A C T

Relating to the East Mahanoy Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the Little Schuylkill navigation, railroad and coal company, and the East Mahanoy railroad company, to

Relative to pay-
ment of per cen-
tage, &c.

enter into a contract whereby the former company shall agree to pay to the subscribers to the stock of the last named company, six per centum upon the sums paid by them for such subscription, for such time and in such manner, and upon such conditions as by said contract may be provided, and to pay such other sums for expenses as by said companies may be agreed; and may further, from time to time, in any mode which may be so agreed, advance money to or for the benefit of the said East Mahanoy railroad company, for all which sums advanced and paid, the said Little Schuylkill navigation, railroad and coal company may take and receive stock of the said East Mahanoy railroad company at par; and the said Little Schuylkill navigation, railroad and coal company is further hereby authorized by subscription, purchase, or in any other manner, to become a stockholder of the East Mahanoy railroad company, and enjoy all rights as such; and the Little Schuylkill navigation, railroad and coal company is hereby further authorized, upon such terms as may be by said parties agreed in respect thereto, to lease the railroad and appurtenances of the said East Mahanoy railroad company, for any term not exceeding ninety-nine years, and during such lease, such lessee may have, hold and enjoy the said East Mahanoy railroad, and its appurtenances, with all the rights and privileges by said lease and their own charter granted and conferred.

Authorized to
lease road.

SECTION 2. That whereas the said East Mahanoy railroad company are now constructing (at great expense) a tunnel through the Broad mountain, for the use of their railroad, which tunnel when completed will afford (by means of said road) great advantage to the coal fields in the vicinity thereof; therefore, be it and it is hereby as aforesaid further enacted, that it shall be lawful for the said East Mahanoy railroad company, to charge (in addition to the rates now fixed by law) such rates for toll and transportation of freight and passengers through the said tunnel, as to the president and directors of said company shall seem reasonable: *Provided*, That no greater additional sum shall be so charged than three cents for each ton of freight, and the like additional sum for each passenger as transported through the said tunnel.

Tunnel, relative
construction of.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 465.

AN ACT

To incorporate the Peach Bottom and Maryland Line Turnpike Road Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M'Conkey, Walter Beattie, T. S. Williamson, George M. Hickman, James Ramsey, Robert Ramsey, V. G. Stubbs, A. C. M'Curdy and Alexander Galbraith, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, with power to construct a turnpike road, beginning at the west side of the Susquehanna and Tide Water canal, and lands of James M'Conkey, in Peach Bottom township, in York county; thence south-westerly to the Pennsylvania and Maryland state line, at or near the lands of Edward Edwards, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine: *Provided,* That the said company shall have the right to make use of any part of the public road between the points specified, and locate their road upon the ground now occupied by such road; and it shall be lawful for the court of quarter sessions of York county, to appoint viewers and vacate such parts of the public road as shall not be used or rendered useless by the said company, as is provided by the general road laws of this commonwealth, in cases of roads which have become useless, and of this act, excepting that the road hereby authorized, shall be thirty feet or more in width, sixteen or more whereof shall be made of solid materials, and may raise or fall so as not to exceed an angle of six degrees.

Route

Subject to

Proviso.

Capital stock. SECTION 2. That the capital stock of said company shall consist of five hundred shares of ten dollars per share: *Provided,* That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital so much as in their opinion may be necessary to complete the road and to carry out the true intent and meaning of this act.

Proviso.

When authorized to erect gates and take toll. SECTION 3. That whenever the Peach Bottom and Maryland Line road company shall have finished two miles or more of the road, it shall be lawful for said company to erect and fix such and so many gates across said road as will be necessary and sufficient to collect tolls, as is authorized by the act of assembly of January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto.

Limitation. SECTION 4. That if the said company shall not commence the construction of the said road within three years after the passage of this act, and complete the same within five years from the time of commencing, then this act shall be null and void

except so far as the same may be necessary to close up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 466.

A N A C T

Annexing the buildings of William Bratton to Beale township, in Juniata county.

WHEREAS, The farm of William Bratton, of Millford township, lies in Beale township, in said county, and his mansion house, barn and other buildings are situated across the line, in Millford township, thus causing great inconvenience to said William Bratton; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the dwelling house and other buildings now owned by William Bratton, and situated in Millford township, are hereby annexed to and included in Beale township, in the county of Juniata, for all and every purpose, as fully and effectually as if the township line dividing the townships of Beale and Millford had been run and made east of the farm buildings on said farm.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 467.

SUPPLEMENT

To the act to incorporate the Penn Haven and White Haven Railroad Company, approved the fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* upon the payment of the enrolment tax within one year from the date of this act, the act to incorporate the Penn Haven and White Haven railroad company, approved the fourth day of May, Anno Domini one thousand eight hundred and fifty-seven, shall be taken and deemed to be in full force and virtue; and the said company shall have all the rights, privileges and franchises as they would have had had the said enrolment tax been paid within one year from the approval of said act of incorporation.

Original act revived upon payment of enrolment tax.

Additional corporations.

SECTION 2. That the following named persons shall be additional commissioners to receive subscriptions to the capital stock of the said company, under the provisions of the act to which this is a supplement, viz: Thomas Craig, Robert H. Sayre, Robert Lockhart, Hiram Wolf and John N. Hutchinson, and that any seven of the said commissioners may open the books, and receive the said subscriptions, with like force and effect as under the said original act.

Certain corporations authorized to subscribe to stock.

SECTION 3. That any railroad, navigation or coal company, shall have power to subscribe to, or purchase the stock and bonds of said company; and that so much of the fifth section of the said original act as is inconsistent herewith, is hereby repealed.

Limitation

SECTION 4. That the said company may commence the construction of the said road at any time within one year beyond the time provided in the said original act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 468.

A N A C T

Declaring Eliza N. Kramer an adopted daughter of James Gray, of Sewickley.

WHEREAS, James Gray, now of Sewickley, Allegheny county, about thirty-two years ago married Sarah E. Davis, then a widow, having by her former husband one child, Eliza N. Davis, about five years of age:

And whereas, The said James Gray then adopted the said Eliza N. as his daughter, and has ever since so regarded her; and soon after his said marriage petitioned the legislature of this state to pass an act declaring said Eliza N. to be his adopted child, and supposed, until recently, that such an act had passed:

And whereas, The said James Gray has again presented his petition to the legislature, praying the passage of such an act:

And whereas, The said Eliza N. is now the wife of John P. Kramer, and the head of a family, and it is doubtful whether the case comes within the provisions of the act of assembly of May fourth, one thousand eight hundred and fifty-five, granting the courts power to decree the adoption of children in certain cases; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Eliza N. Kramer, wife of John P. Kramer, of the borough of Sewickley, Allegheny county, daughter of Sarah E. Gray, the present wife of James Gray, being the daughter of the said Sarah E. by her former husband, is hereby declared to be the adopted daughter of the said James Gray, and shall be capable of receiving by devise, or of inheriting under the intestate laws of this commonwealth, the same as if she were the lawful child of the said James Gray, and shall possess all the rights and privileges in law, and to all the intents and purposes be regarded as his own child, born in lawful wedlock.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 469.

SUPPLEMENT

To an act incorporating the Carbondale and Providence Plank Road and Turnpike Company.

Meeting to be held relative to resuming certain part of road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company are hereby authorized to call a meeting of the stockholders thereof, to be held in the city of Carbondale, and at said meeting, to submit the question to a vote of said stockholders, whether said company shall resume one mile and a half of the said road, extending from the north-east line of the borough of Providence, in a south-westerly direction, which said piece of road was surrendered under and by virtue of a supplement to said act of incorporation, passed the eighteenth day of April, one thousand eight hundred and fifty-six; and if there shall be stockholders present at such meeting representing a majority of the entire stock of said company, either in person or by proxy, and it shall be voted by a majority of the stock so represented, to resume the said mile and a half of road, it shall be lawful for said company to make a record of such proceedings on their minutes.

Copy of minutes to be served on burgess of Providence

SECTION 2. That a copy of said minutes, signed by the president, and countersigned by the secretary, shall be served on the burgess, or other principal officer of said borough of Providence, and thereupon all the rights and duties of the said company shall extend to and embrace the said one mile and a half of road as aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 470.

A N A C T

Relating to Brackets on Canoe creek, in the counties of Indiana and Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any person or persons having already constructed, or who may hereafter construct any bracket or brackets on any dam owned by such person or persons on Canoe creek, in the counties of Indiana and Jefferson, may demand and receive from the owner or owners of any raft of boards, sawed stuff or timber, a sum not exceeding one dollar for every such raft passed through any such bracket.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 471.

A N A C T

In regard to the Road Taxes in Tioga county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the supervisors of the several townships of Tioga county, in lieu of levying one per cent. money tax to pay road expenses and debts of the townships, to levy said tax in work, to be expended on the roads, or such part of it as will not be necessary to be levied in money, to pay debts of the townships; and that it shall be the duty of the supervisors to expend*

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at least three-fourths of the taxes on the roads on or before the first day of July in each and every year.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 472.

A N A C T

Authorizing the Payment of Andrew M'Clelland, a grandson of John M'Clelland, a Soldier of the Indian Wars, a balance due the said John M'Clelland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay to Andrew M'Clelland, a grandson of John M'Clelland, a soldier of the Indian war in one thousand seven hundred and ninety-two, any balance of money due the said John M'Clelland, for services rendered in said war.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 473.

A N A C T

For the relief of Thomas Bridgens, Collector of the Military Tax for the borough of Lock Haven, in the county of Clinton, for the year one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Bridgens, collector of the military tax for the borough of Lock Haven, in Clinton county, for the year eighteen hundred and fifty-six, may apply to the commissioners of said county for any abatement of said tax on or before the first of September next; and it shall be lawful for said commissioners to make any abatements, or exonerations of said taxes, they shall deem just and equitable, or to which he may have been legally entitled, any law to the contrary notwithstanding.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 474.

A S U P P L E M E N T

To an act approved the twentieth day of April, one thousand eight hundred and fifty-four, entitled “An Act in relation to Establishing and Changing the Places for holding General Elections throughout the Commonwealth.”

WHEREAS, The court of common pleas of Northampton county has, in pursuance of the powers vested therein under the second section of the act of April twentieth, one thousand eight hundred and fifty-four, divided the township of Lower Mount Bethel into two election districts, by a designated line, one whereof was called the “Upper district,” the other the “Lower district,” and did fix the house now occupied by David Ackerman, in the village of Flicksville, as the place for holding the election in the Upper district, and did fix the house of George Stocker, at

LAWS OF PENNSYLVANIA,

Martin's creek, as the place for holding the elections in the Lower district; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the election of township officers for said township, as also for the inspectors and judge for said districts, shall be held for the electors residing in said Upper district, at the said house now occupied by the said David Ackerman, and for those residing in the said Lower district, at the said house now occupied by the said George Stocker, at the time now fixed by law for holding the said township elections; that the electors of each district shall there vote for all the township officers, as well as for the said judge and inspectors for such election district; that after the polls are closed and the votes counted, the clerks for each district shall make out a fair statement of all the votes which shall have been given in such district, for every person voted for as a township officer, designating the respective offices, which shall be signed by the judge and clerk; and the said judges shall take charge of such certificates, and produce the same on the next day after the said elections, at the house of George Stocker, in the Lower district, at which time and place both judges shall meet and cast up the two returns, so as to ascertain who shall have been elected to said township offices respectively, and make duplicate returns of all the votes given for said township officers; and said judges shall agree which of them shall make return thereof, as now provided by law for the return of township elections; the same officers that were appointed by the court for each of said districts to serve until others are elected in their place.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 475.

A N A C T

Relating to elections in St. Thomas and Letterkenny townships, in Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the qualified voters of Horse Valley, in the county of Franklin, residing within the limits of St. Thomas township, shall hereafter vote at St. Thomas, and those residing within the limits of Letterkenny township, shall vote at Strasburg. This act shall apply to both general and township elections.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 476.

A N A C T

To authorize the Auditor General and State Treasurer to open and re-settle the account between the Commonwealth and the Farmers' and Drovers' Bank of Waynesburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized and required to open and re-settle the account between the commonwealth and the Farmers' and Drovers' Bank of Waynesburg, for tax on dividends and capital stock, and make such alteration therein as they may deem right and agreeably to law.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 477.

A N A C T

To incorporate the Ministers and Elders of the General Assembly of the United Presbyterian Church of North America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Andrew M. Black, Thomas Beoeridge, Joseph T. Cooper, John B. Dales, William Findley, Samuel George, Robert Gracey, Thomas Hanna, Robert D. Harper, David R. Kerr, David Macdill, Thomas M'Cagne, Daniel H. A. M'Lean, John T. Pressly, James Rodgers and James P. Stuart, and their successors, duly elected and appointed in manner as is hereinafter directed, be and they are hereby made, declared and constituted a corporation and body politic and corporate, in law and in fact, to have continuance forever, by the name, style and title of "Trustees of the General Assembly of the United Presbyterian church of North America," and by the name, style and title aforesaid, shall forever hereafter be persons able and capable in law, as well to take, receive and hold all manner of lands, tenements, rents, annuities, franchises and other hereditaments, which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the ministers and elders constituting the General Assembly of the United Presbyterian church of North America, or any other person or persons, to their use, or in trust for them; and the same tenements, lands, rents, annuities, liberties, franchises and other hereditaments are hereby vested and established in the said corporation and their successors, forever, according to the original use and intent for which such devises, gifts and grants were respectively made; and the said corporation and their successors are hereby declared to be seized and possessed of such estate and estates therein as in and by the respective grants, bargains, sales, enfeoffments, releases, devises and other conveyances thereof, is or are declared limited and expressed; also that the said corporation and their successors, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy in fee simple, or of lesser estate or estates, any lands, tenements, rents, annuities, franchises and other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate, capable and able to make the same; and further, that the said ministers and elders, under the corporate name aforesaid, and their successors, may take and receive any sum or sums of money, and any portion of goods and chattels, that have been given to said ministers and elders, or that shall hereafter be given, sold, leased or bequeathed to the said coporation, by any person or persons, bodies politic or corporate, that is or are able or capable to make a gift, sale, bequest

Corporators.

Style.

Powers and privileges relative to real and personal estate, &c.

or other disposal of the same; such money, goods or chattels to be laid out and disposed of for the use and benefit of the aforesaid corporation, agreeably to the intention of the donors, and according to objects, articles and conditions of this act.

SECTION 2. That no misnomer of the said corporation and their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, The intent of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or from the said corporation. Misnomer.
Proviso.

SECTION 3. That the said corporation and their successors shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall think fit and proper, and the same to break, alter and renew at their pleasure. Seal.

SECTION 4. That the said corporation and their successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court, or before any judge or justice, in all manner of suits, complaints, pleas, matters and demands of whatsoever nature, kind and form they may be, and all and every matter and thing to do in as full and effectual a manner as any other person, bodies politic or corporate within this commonwealth may or can do. Further powers.

SECTION 5. That the said corporation, and their successors, shall be and hereby are authorized and empowered to make, ordain and establish by-laws and ordinances, and do everything incident and needful for the support and due government of the said corporation, and managing the funds and revenues thereof: *Provided*, The said by-laws be not repugnant to the constitution and laws of the United States, to the constitution and laws of this commonwealth, or to this act. By-laws.
Proviso.

SECTION 6. That the said corporation shall not consist, at any time, of more than sixteen persons, whereof the said General Assembly may, at their discretion, at any regular session held under the rules and regulations of said General Assembly, change nine-sixteenths, in such manner as to the said General Assembly may seem proper; and the said corporation shall have power and authority to manage and dispose of all moneys, goods, chattels, lands, tenements and hereditaments, and other estate whatsoever, committed to their care and trust by the said General Assembly; but in cases where special instructions for the management and disposal thereof shall be given by the General Assembly in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions: *Provided*, The said instructions shall not be repugnant to the constitution and laws of the United States, or to the constitution and laws of this commonwealth, or to the provisions and restrictions in this act contained. Corporation to consist of sixteen persons, &c.
Further powers relative to disposing of property.
Proviso.

SECTION 7. That nine members of this corporation shall be a sufficient number to transact the business thereof, and to make by-laws, rules and regulations: *Provided*, That previous to any meeting of the board or corporation for such purposes, not appointed by adjournment, ten days' notice shall be previously given thereof, in at least one of the newspapers printed in the city of Pittsburg or Philadelphia; a copy of which notice in Number of members necessary to transact business, &c.
Notice of meetings to be published in Pittsburg and Philadelphia.

Copy of notice to be sent to each member of corporation. said paper, circular, or other printed or written form, shall be sent by mail, or other reliable conveyance, to each member of said corporation nine days, at least, previous to said meeting, by the person or persons calling the meeting; and the said corporation shall and may, as often as they shall see proper, and according to the rules by them to be prescribed, choose out of their number a president and vice president, and shall have authority to appoint a treasurer, whose duty it shall be, under such obligations as said corporation may direct or require, to take charge of all the property and funds of said corporation, the same to receive, keep, manage and dispose of according to direction of said corporation, and as often as they direct, to furnish and exhibit detailed and accurate statements of the condition of the same; and said corporation shall appoint a secretary, and such other officers and servants as shall by them, the said corporation, be deemed necessary; to which officers they may assign such a compensation for their services, and such duties to be performed by them, to continue in office for such time, and to be succeeded by others, in such way and manner as the said corporation shall direct.

President and vice president.
Treasurer, duties of.

Secretary and other officers.

Compensation.

All questions to be decided by ballot.
Votes.

Minutes of proceedings.

SECTION 8. That all questions before the said corporation shall be decided by a plurality of votes, whereof each member present shall have one vote; and the said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book or books kept for that purpose; and their treasurer shall exhibit to the aforesaid General Assembly, at each regular meeting of the same, an exact state of the accounts of the corporation.

Annual income, relative to.

SECTION 9. That the said corporation may take, receive, purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and other hereditaments, real and personal estate, of any amount not exceeding twenty thousand dollars yearly value; but the said limitations not to be considered as including the annual or periodical collections, and voluntary contributions made in the churches under the care of the said General Assembly, or contributions from any other source that are not to be funded, but expended in church operations.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 478.

AN ACT

To authorize the appointment of three additional Notaries Public in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the governor be and he is hereby authorized to appoint three additional notaries public for the county of Chester, who shall reside in the towns of Coatesville, Oxford and Phoenixville.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 479.

AN ACT

To incorporate the Pennsylvania Annual Conference of the Methodist Protestant Church.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Baird, James S. Ferguson, William Lutz, Joseph Watrous, J. K. Helmbold, R. E. Gorman, J. M'Intire, Benjamin Jones, Jacob Miller, S. Homan, G. W. Sterigere, and others, ministerial members of the Pennsylvania annual conference of the Methodist Protestant church, as contained in the minutes of their session for the year one thousand eight hundred and fifty-eight, and all the ministers and preachers who are or may hereafter be members of the said annual conference, (during their membership thereof,) together with the lay delegates from the several circuits and stations comprised within the said annual conference, elected for the aforesaid session, and such as may

Corporators.

	be from time to time elected by the circuits and stations, in accordance with the rules and regulations of the said annual conference, (the said delegates to hold their respective memberships from the organization of the annual session to which they were or may be elected, to the organization of the next regular annual session, at which time the membership of the delegates elect shall commence,) shall be and they are hereby made and constituted a body politic and corporate in law and in fact, to have perpetual succession, by and under the name, style and title of the Pennsylvania annual conference of the Methodist Protestant church, and by the name, style and title aforesaid, shall be capable in law to sue and be sued, plead and be impleaded, in any court or before any judge or justice of the peace, in all and all manner of suits, complaints, pleas and demands of whatsoever name or nature, and all and every matter and thing to do in as full and effectual a manner as any other person or persons, body politic or corporate, within this commonwealth, may or can do.
Style.	
Powers.	
By-laws.	SECTION 2. That the said corporation, and their successors, shall be and are hereby authorized and empowered to make, ordain and establish such by-laws and ordinances as shall be necessary and proper for the regulation of the temporal and financial concerns of the said annual conference, and for the promotion of religion: <i>Provided</i> , That nothing shall be done in pursuance of the powers and the privileges herein granted, repugnant to this act, or to the constitution and laws of this commonwealth.
Proviso.	
Business of corporation, by whom managed.	SECTION 3. That the business of the said corporation shall be managed and conducted by the said corporation, at the times and during the annual sessions of the said annual conferences, or an adjourned or extra session thereof; one-sixth of the whole membership present at any one meeting shall constitute a quorum.
Quorum.	
Seal.	SECTION 4. That the said corporation, and their successors, shall have full power and authority to make, have and to use one common seal, with such devices and inscription as they shall think proper, and to break, renew and alter the same.
Annual income, relative to.	SECTION 5. That the said corporation, or their successors, by the name, style and title aforesaid, shall be able and capable in law and equity to take and to hold to themselves and their successors, for the uses and objects set forth as aforesaid, lands, tenements, goods and chattels of whatsoever kind, nature and quality, real, personal or mixed, which now is, or shall hereafter become, the property of the said annual conference, by gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise, from any person or persons whatsoever capable of making the same, and the same to grant, bargain, sell, or otherwise dispose of, for the use of the said annual conference: <i>Provided</i> , That the yearly value or income of said estate shall not at any time exceed two thousand dollars, and shall not be appropriated to any other than the financial and religious promotion of the said annual conference, as before named.
Proviso.	
Misnomer.	SECTION 6. That no misnomer of the said corporation shall defeat or annul any gift, grant, devise, or bequest to or from the said corporation: <i>Provided</i> , That the intent of the party or parties shall sufficiently appear upon the face of the grant, will, or
Proviso.	

other writing, whereby an estate or interest is intended to pass to or from the said corporation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 480.

A N A C T

To incorporate the Towanda Library Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Christopher L. Ward, Edward Overton, Junior, E. H. Mason, G. H. Watkins, William T. Davies, Judson Holcomb, George De La Montanye, Gordon F. Mason, John F. Means, M. C. Mercur, Charles M. Turner, W. C. Bogart and Abram De La Montanye, and their successors, are hereby erected into a body politic and corporate, in deed and law, by the name and style of the Towanda library association. Corporators.

SECTION 2. That the said corporation, by the same name and style, shall have perpetual succession, and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to alter and renew at pleasure; and by the name and style aforesaid, shall be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and equity to take, purchase, hold and receive, all manner of lands, tenements, rents, annuities, franchises and hereditaments, and any sum or sums of money, and any goods, and chattels given or bequeathed to them, to be employed and disposed of according to the objects, articles and conditions hereof, or according to the articles and by-laws of this corporation: *Provided always,* That the clear yearly income of the real and personal estate held by this corporation shall not, at any time, exceed the sum of five thousand dollars. Powers and authority.
Proviso.

SECTION 3. That the objects of this association shall be to encourage and foster among the population of the borough of Towanda, and the county of Bradford, the spirit of self improvement, by the establishment of a library, reading room, cabinet of minerals, and such other things as may be considered Objects, &c.

necessary or expedient for the promotion of literature, science and mechanics; and shall have power to purchase land, erect or build or rent buildings, and perform such other acts as may be necessary for the promotion of these objects.

Capital stock.

SECTION 4. That the capital stock of said corporation shall be one thousand dollars, to be divided into shares of five dollars each, and may be increased from time to time, not to exceed thirty thousand dollars, as the managers thereof shall deem necessary; for all which stock certificate shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure by the owner thereof, or by a duly authorized attorney, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation; but no stockholder indebted to said association for annual dues or otherwise, such debt being actually due and unpaid, shall be authorized to make a transfer until such debt is discharged.

Time of meeting
for the purpose
of organization.

SECTION 5. That the corporators herein named, or any five of them, shall meet on or before the first Monday of September, one thousand eight hundred and fifty-nine, in the borough of Towanda, and organize their association under this act of incorporation; and this corporation shall have full power to enact and enforce such by-laws and ordinances as they shall think proper for their government, and for the regulation and transaction of the business of said association, and shall have power to elect a president, six managers, and such other officers, and at such times as they may deem proper: *Provided*, That the by-laws and ordinances, and all the acts of said association, shall not be contrary to this charter, nor to the constitution and laws of the United States, or of this commonwealth.

By-laws.

Proviso.

Construction as
to powers and
privileges.

SECTION 6. That no enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others not enumerated, which are necessary to the proper fulfilment of the design and purposes of this act, and not inconsistent with its express provisions and limitations.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM F. PACKER.

No. 481.

A N A C T

To incorporate the Richlandtown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John B. Missimer, Esq., John Matts, William B. Kaemmer, Commissioners. Charles Filman, David Johnson, Elias Freed, Edwin F. Scheetz, Tobias Landes, Wm. B. Myers, Charles Himmelwright, Charles Johnson, Peter A. Myers, Charles Wolf, Jacob Masimer, William Fretz, William Amey, George L. Baringer, Daniel Kephart, Andrew Hoffard, John Bleam, John Kepler, John H. Snyder and Felix Walp, of Bucks county, or any five of them, are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company by the name, style and title of the Richlandtown turnpike road company, with power Style. to construct a turnpike road, commencing at the intersection of the Doylestown road with the North Pennsylvania railroad, in the line of the borough of Quakertown, and extending by way Route. of the village of Richlandtown to the intersection of the Hellertown road with the Durham road, in Richland township, and that along or near the bed of the present Doylestown road and Hellertown road, connecting said points, with full power and authority to change the same, subject to all the provisions and Subject to. restrictions of an act regulating turnpike road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided for.

SECTION 2. That the said company are hereby authorized to Tolls, relative to. charge, collect and receive the same amount and description of tolls on their said road as are allowed by law to be charged by the act incorporating the Springhouse, Northamptontown and Bethlehem turnpike road company, and the several supplements thereto; and when the said company shall have completed the whole of their said road, the same proceedings shall be had thereon as if they had constructed five miles of road; and they shall have power to collect and receive tolls on the same.

SECTION 3. That the capital stock of said company shall con- Capital stock. sist of three hundred shares of twenty-five dollars each; and if they shall not commence the construction of their said road within three years of the passage of this act, and complete the Limitation. same within five years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 482.

AN ACT

To authorize the Chartiers Valley and Hempfield Railroad Companies to lease their several roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Chartiers Valley railroad company, and the Hempfield railroad company, or either of them, be and they are hereby authorized and empowered to lease their said roads, or either of them, to any corporation or corporations, individual or individuals, on such terms and conditions as the president and directors of each of said companies may agree upon, for the purpose of equipping and operating the said roads, and also of finishing and putting the same in full and complete running order; and the president and directors of either of said companies are further authorized to make and execute all necessary leases and agreements to accomplish either or all of the before named objects; subject, however, to the approval of a majority of the stockholders of each or either of said companies present, given at a meeting called therefor, of which twenty days' notice by publication in two or more newspapers in the cities of Pittsburgh, Philadelphia, and the borough of Washington, shall be given.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 483.

AN ACT

To prevent the Destruction of Trout during the Spawning Season, in the counties of Lycoming, Clinton and Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

it shall be unlawful for any person or persons to catch, or will- When trout not fully kill or destroy any trout in any of the streams of Lycom- to be destroyed. ing, Clinton and Sullivan counties, between the first day of August and the first day of April, in every year.

SECTION 2. That any person or persons offending against the Penalty. provisions of the first section of this act, shall for every such offence, forfeit and pay the sum of twenty dollars, to be recovered before any justice of the peace or alderman of the proper county by suit, and the informer to be a competent witness, and the penalty to be for the use of the poor of the proper district or township in which the offence may be committed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 484.

AN ACT

To alter the General Borough Laws, so far as relates to the borough of Nazareth, Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act contained in the fourth article of the third section of the general law regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, which requires publication in one newspaper, of every enactment, regulation, ordinance or other general law, be and the same is hereby repealed, so far as relates to the borough of Nazareth, in Northampton county. Relative to publishing ordinances, &c.

SECTION 2. That so much of the act contained in the fifth section of the act, approved the first day of April, Anno Domini one thousand eight hundred and thirty-four, and the seventeenth section of the said general borough law, as would require the election of five citizens of said borough, to be a town council, be and the same is hereby repealed, and that in lieu thereof it shall be lawful for the electors of said borough, at the first election to be held hereafter, to elect six citizens of said borough, to be a town council; three of said six to hold office for the term of one year, and the remaining three for the term of two Number of members of town council. years, and to be voted for accordingly; and that at each and Terms of service.

every annual election of said borough thereafter, it shall be lawful for the electors of said borough, to elect three citizens of said borough to hold office as members of said town council for the term of two years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 485.

A N A C T

To incorporate the Lampeter and Bridgeport Turnpike Road Company.

Commissioners.

Style.

Route.

Subject to.

Capital stock.

Proviso.

When gates to be erected and toll taken.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Landis Miller, Henry Miller, Martin H. Kreider, Abraham Leaman, Jacob Miller, Abraham Groff, Isaac Houser, Adam Lefever and Henry Burkholder, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Lampeter and Bridgeport turnpike road company, with power to locate and construct a turnpike road from the village of Lampeter Square, in West Lampeter township, Lancaster county, to Bridgeport, in East Lampeter township, in said county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of the said company shall consist of three hundred shares, at fifty dollars per share: *Provided*, That the said company may from time to time by a vote of the stockholders at a meeting called for the purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have finished said road, notwithstanding it length is less than five miles, the same proceedings may be had to enable the said company to erect and fix gates upon and across the same, and collect tolls, as is provided in the aforesaid act of assembly in relation to any completed five miles of a turnpike road.

SECTION 4. That the said company may use all, or such part May use part of or parts of the old township or public road now leading, or ex- certain road. tending between the points aforesaid, as may be practicable and for the interest of said company.

SECTION 5. That the said company shall be required to com- Limitation. mence the construction of their road within one year, and finish the same within three years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 486.

A N A C T

To authorize the President and Managers of the Milford and Richland Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Milford and Richland turnpike road company shall have full power and authority to borrow any sum or sums of money, not exceeding one thousand dollars, which may be necessary to pay and discharge the debts incurred in the construction of their said road, and to enjoy the full benefits of the privileges conferred upon them by the acts of assembly authorizing their incorporation, and that upon such terms and conditions as the said corporation may deem proper, and at any rate of interest not exceeding six per centum per annum, with full power also to pledge and mortgage, as security for such loan or loans, their said turnpike road, and all and any part of their property, real and personal, together with all their corporate rights, powers, privileges and franchises; and any sale or sales under any judicial process to enforce any such pledge or mortgage, shall pass to and vest in the vendee or vendees, whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid: *Provided,* That no bond or evidence of

LAWS OF PENNSYLVANIA,

such loan shall be issued by the said company, for a less amount than fifty dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 487.

A N A C T

To declare the North Branch of Twolick Creek, in Indiana county, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the North Branch of Twolick creek, from its mouth, near the line of Green and Cherryhill townships, in Indiana county, be and the same is hereby declared a public highway up to John Butterbaugh's mill, in said township of Green.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 488.

S U P P L E M E N T

To an act to authorize the Tyrone and Clearfield Railroad Company to Borrow Money.

WHEREAS, By act of assembly approved the twenty-eighth day of April, one thousand eight hundred and fifty-seven, the

Tyrone and Clearfield railroad company was authorized to borrow two hundred thousand dollars, for the purpose of constructing and stocking said road:

And whereas, The same is found to be insufficient for the purposes aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company is hereby authorized to increase the said sum fifty thousand dollars, so as to make the full amount for which they are authorized to mortgage their said road, two hundred and fifty thousand dollars, in the same manner and upon the same terms and conditions as are mentioned in the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 489.

AN ACT

To provide for taking Testimony in cases of Contested Elections of Members of the General Assembly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any court of common pleas, or any judge thereof, in vacation, on the filing of a petition with the prothonotary thereof, setting forth that an undue election has been had, or a false return made of a person elected member of the Senate or House of Representatives of this commonwealth, and specifying the facts upon which such petition is based, signed by at least ten qualified electors of the proper senatorial or representative district, at least five of whom shall have been sworn or affirmed, that the facts therein set forth are true to the best of their knowledge and belief, to issue a commission to take the testimony of such witnesses as the petitioners or respondent may desire, before such competent authority, and at such times and places as shall seem just and convenient, with such subpoenas as may be necessary; and any such commissioner may compel the attendance of any witnesses duly subpoenaed by attachment or otherwise: *Provided,* That no such commis-

Duty of court of common pleas, or judge, relative to taking testimony in cases of contested elections of members of the general assembly.

Proviso

sion shall issue till after five days' notice of the filing of such petition, with a copy thereof, has been served upon the person returned as elected as aforesaid, personally, or by leaving at his dwelling with some member of his family, nor in case he resides in another county, until ten days after such notice: *And provided further*, That the testimony taken on such commission shall be confined to the specific allegations of the petition and the rebuttal thereof.

Proviso

Relative to the
payment of costs.

SECTION 2. That the petitioners shall pay the cost of any such commission and of the witnesses they may have in attendance; and the person against whose election such petition is filed, shall pay the cost of such witnesses as he may have in attendance, to be taxed by the commissioner and return thereof made to the proper court; but all costs so paid as aforesaid, shall be finally paid to said petitioners and respondent, in the same manner as is now by law provided in cases of contested elections for members of the Senate and House of Representatives: *Provided*, That in case such contest is not pursued at the proper session of the general assembly, in the manner provided by law, judgment may be rendered, on motion, in the proper court of common pleas, against such petitioners, jointly and severally, for all costs which shall have accrued.

Proviso

Duty of pro-
thonotary.

SECTION 3. That it shall be the duty of the prothonotary to certify all depositions taken and proceedings had in court, under this act, and hold the same subject to the direction or order of the speaker of the proper house of the general assembly; and all depositions so taken, shall be deemed legal evidence, subject to the usual rules of evidence, before any committee of the proper house, selected to decide any such contested election.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 490.

A SUPPLEMENT

To an act to incorporate the Green Castle and Middleburg Turnpike Road Company, approved March the first, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Green Castle and Middleburg turnpike road company shall make the turnpike road from Green Castle to Middleburg, at the Maryland state line, twenty-six feet wide, to be paved with stone, sixteen feet wide, to be ten inches deep in the centre, and rounding to the sides so as to make it correspond to the turnpike road made on the Maryland side of the line.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 491.

AN ACT

Establishing the location of the Streets, Alleys and Lots in a certain part of the borough of Johnstown, Cambria county.

WHEREAS, Difficulties have occurred in establishing the true location of the streets, alleys and lots in that portion of the borough of Johnstown, Cambria county, Pennsylvania, lying between the Stony creek and Conemaugh borough : Preamble

And whereas, The burgess and town council in general council assembled, ordered and directed that a true and correct survey of that portion of said borough be made by John Brawley, Esq., who shall make a plot of the same, and cause stone blocks to be permanently fixed in the centres of the streets where they cross each other, and that the same shall be deemed and taken to be the true monuments which shall govern the true location of the streets, alleys and lots in that portion of said borough :

And whereas, The said John Brawley has, in pursuance of said order of councils, made a true and exact survey of said streets, alleys and lots in that portion of said borough, and made a plot of the same, and caused stone blocks to be permanently fixed in the centres of the streets where they cross each other, for the purposes aforesaid, which survey and monuments were approved by the burgess and town council in general council assembled, for the purposes aforesaid ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true location of the streets, alleys and lots in that portion of the borough of Johnstown, Cambria county, Pennsylvania, lying

Location of streets, alleys and lots to be fixed according to plot made by John Brawley, Esq.

between the Stony creek and Conemaugh borough, shall be taken and deemed to be according to the plot of that portion of said borough made by John Brawley, Esq., in pursuance of the order and directions of the burgess and town council of said borough; and that the stone blocks which are now fixed in the centres of the streets of the same, where they cross each other, shall be deemed and taken to be the true centres of the same, from which the true location of the lots in that portion of said borough shall be ascertained and determined.

Plot made by John Brawley, Esq., to be certified by him, and to be evidence, &c.

SECTION 2. That the plot of that portion of said borough made by the said John Brawley, Esq., shall be certified by him as being the same which was made in pursuance of the order and directions of burgess and town council aforesaid; which certificate shall be sufficient evidence of the same in any court of this commonwealth, and for any purpose for which the same may be needed; and the same plot shall be filed in the office of the burgess and town council of said borough, and carefully recorded in the record books of said burgess and town council.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 492.

A N A C T

For the Relief of John S. Miller.

WHEREAS, By reason of extra excavation, pumping water, removing ice, hill slide, &c., on section number twenty, of Allegheny Portage railroad, John S. Miller, a contractor, sustained a serious loss.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, attorney general and state treasurer, be and they are hereby authorized and required to examine the claim of said John S. Miller, for damages, and ascertain what sum, if any, is due to him; and the said treasurer is hereby authorized and directed to pay to the said John S. Miller, out of any moneys in the treasury not otherwise appropriated, such sum as the

attorney general, auditor general and state treasurer shall ascertain to be due to him.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 493.

A N A C T

Authorizing the Auditor General to open and re-settle the Accounts of James Mitchell, late Treasurer of Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general is hereby required to open the accounts of James Mitchell, late treasurer of Lawrence county, and re-settle the same: Provided, That if the auditor general, upon examination, shall be satisfied that the said James Mitchell is charged in his account with the commonwealth, with more distillers' licenses than he received, then the said James Mitchell shall receive a credit for such amount.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 494.

A SUPPLEMENT

To an act Regulating Boroughs.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the third section of an act, entitled "An Act regulating boroughs," approved the third day of April, one thousand eight hundred and fifty-one, as requires officers of boroughs to cause newspaper publication to be made of every borough enactment, regulation, ordinance or other general law, before the same shall take effect, shall not apply to the borough of Sewickley, in the county of Allegheny.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 495.

AN ACT

To declare Johnson's Run, in Fox township, Elk county, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, that Johnson's run, in Fox township, Elk county, be and the same is hereby declared a public highway, from the mouth of said run to where the same crosses the west line of warrant number four thousand three hundred and ninety-six.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 496.

AN ACT

Appointing Commissioners to lay out and open a State Road in the counties of Potter and M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Abiatha Rounsville, Jerome B. Earl and Almeron Nelson, are Commissioners. hereby appointed commissioners for the purpose of laying out, opening and making a state road, commencing at the borough of Coudersport, Potter county, to the Drift-wood Branch of the Route. Sinnemahoning, at or near the mouth of the Portage, in Shippen township, M'Kean county; said commissioners to have authority to employ a competent engineer to assist in locating said road: *Provided,* That the powers and authority hereby given to said commissioners shall continue for seven years, and no longer. *Proviso.*

SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of the counties of Potter and M'Kean, and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same; and said road from thence is hereby declared to be a public road in the same manner as other roads laid out and opened by the proper township officers. *Drafts.* *Where filed.*

SECTION 3. That five mills on the dollar of the road tax levied on unseated lands in the townships through which said road shall pass, or in which it shall terminate, shall be paid to said commissioners for the purpose aforesaid, during the year one thousand eight hundred and fifty-nine, and yearly thereafter for the term of six years; and in case the taxes aforesaid shall be deemed insufficient to lay out, open and make said road, said commissioners may levy and assess a tax on the unseated assessed property in said townships, for the year one thousand eight hundred and fifty-nine, and yearly thereafter for the period of six years, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies, which tax shall be assessed and collected in the same manner as the supervisors in said counties are authorized to do by law. *Tax on unseated lands to be assessed and collected to defray expenses.*

SECTION 4. That any two of the said commissioners shall be deemed a quorum, and sufficient to do anything authorized to be done by this act; and in case of the death, resignation, or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of Potter county shall appoint a person or persons to supply the vacancy, who shall give a bond as required in the seventh section of this act. *Quorum* *Vacancies, how supplied.*

SECTION 5. That said commissioners shall annually settle their accounts with the auditors of the county of Potter, and shall be allowed a reasonable compensation, not to exceed one dollar and *Commissioners to settle accounts annually.*

fifty cents each, per day, for the time they shall be engaged in laying out, opening and making said road.

Commissioners of
Potter county
authorized to pay
certain expenses.

SECTION 6. That the commissioners of the county of Potter are hereby authorized and required to pay to said commissioners the sum necessary to defray the expenses of locating said road, out of the county funds, by orders drawn on the county treasurer.

Commissioners to
give bond.

SECTION 7. That the said commissioners before entering upon the duties of their office, shall give a bond, with at least one sufficient surety, conditioned for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office, which bond shall be approved by the court of quarter sessions of the county of Potter, or by one of the judges thereof, and be noted upon the docket and filed among the records of said court.

County commis-
sioners of Potter
and M'Kean
counties to draw
orders on trea-
surer for taxes,
&c.

SECTION 8. That the county commissioners of the said counties of Potter and M'Kean are hereby authorized and required to draw their orders upon the proper county treasurer, in favor of the commissioners named in this act, or their successors, for the taxes hereby appropriated to the construction of said road, at the same time and in the same manner as they are now by law required to draw in favor of the supervisors of the several townships, and to deliver the same to the said commissioners.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 497.

A SUPPLEMENT

To an act to incorporate the Watsonstown Bridge Company, approved the ninth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the commencement of the erection of the Watsonstown bridge shall be extended for three years from the passage*

of this act, and that the time for the completion of the same shall be extended for five years from the passage of said act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 498.

SUPPLEMENT

To the act consolidating the city of Philadelphia, so far as relates to Assessors of the Nineteenth and Twenty-first wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the first Tuesday in May next, and as often thereafter as the law requires, the qualified voters of the first, second, third, fourth, ninth and tenth divisions of the Nineteenth ward, of the city of Philadelphia, shall elect two assessors, and the qualified electors of the fifth, sixth, seventh and eighth election divisions of said ward, shall elect two assessors of like qualifications, and in the same manner, and to perform the same duties as is provided in regard to assessors in the seventeenth section of a further supplement to an act, entitled "An Act to incorporate the city of Philadelphia," approved the second day of February, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That if, at any time, the councils of Philadelphia shall change the election divisions of said ward, they shall designate which of said divisions shall elect the assessors as aforesaid.

Election of assessors in certain divisions of Nineteenth ward.

SECTION 2. That on the first Tuesday of May next, and as often thereafter as the law requires, the qualified voters of that part of the Twenty-first ward, in the city of Philadelphia, comprising the first and second election divisions thereof, shall elect two assessors, and the qualified electors of the remaining portions of said ward, shall also elect two assessors of the like qualifications, and in the same manner, and to perform the same duties as is provided in regard to assessors in the seventeenth section of a further supplement to an act, entitled "An Act to incorporate the city of Philadelphia," approved the second day of February, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That if, at any time, the councils of the city of Philadelphia shall change the election divisions of said

Provide

Election of assessors in certain divisions of the Twenty-first ward.

Provide.

ward, they shall designate which of said divisions shall elect the assessors as aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 499.

AN ACT

Authorizing the School Directors of the borough of Auburn, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of Auburn, in the county of Schuylkill, be and they are hereby authorized to borrow a sum or sums of money not exceeding nine hundred dollars, for the purpose of paying for their school house; and it shall be lawful for the board of school directors of said school district, to secure the money so borrowed, by bond of said directors, and mortgage upon the real estate of said school district, or otherwise, as the said directors may deem proper; said money to be repaid out of the school tax to be hereafter collected in said school district.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 500.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to erect the town of Lebanon, in the county of Lebanon, into a borough," approved February twentieth, A. D. eighteen hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgesses and town council of the borough of Lebanon shall have full power and authority to survey, lay out, enact and ordain and open or cause to be opened, by the proper officers under them, all such roads, streets, lanes, alleys, courts and common sewers as they may deem necessary, within the limits of said borough, and provide for, enact and ordain the widening, opening, straightening of the same; to regulate the roads, streets, lanes, courts, common sewers, public squares, common grounds, foot walks, pavements, gutters, culverts and drains, and the heights, grades, widths, slopes and forms thereof, and to prohibit the erection or construction of any building or work, excavation or other obstruction to the opening, widening, straightening and convenient use thereof; and they shall have all other needful jurisdiction over the same: *Provided,* That no road, street, lane or alley shall be opened, straightened or widened, without the owners of the land adjoining the same having first had ten days' notice of such intended opening, straightening or widening; and any person who shall sustain damage by reason thereof, shall have all the rights and remedies to have said damages assessed, as are provided by the general road laws of this commonwealth.

Power to open streets, &c.

Proviso.

SECTION 2. The said burgesses and town council shall have full power and authority to require and direct the curbing, paving, grading and guttering of the side or foot walks, by the owner or owners of the lots of ground respectively fronting thereon, in accordance with the general regulations prescribed, and to cause the same to be done, on failure of the owners thereof, within the time prescribed by the general regulations, and to collect the costs of the work and materials, with twenty per centum advance thereon, from said owners, as claims are by law recoverable under the provisions of the laws relative to mechanics' liens; and the particulars of such labor and materials, the name or names of the actual or reputed owner or owners, as also of the occupier or occupiers of the premises for the time being, shall be set forth in a statement, to be filed within sixty days after such expense shall have been incurred; and they shall have full power and authority to enter upon the lands and premises of any person or persons, for the purposes authorized by this act and the act to which this is a supplement.

Additional powers.

Claims for work and materials, relative to.

SECTION 3. It shall be the duty of the corporate authorities to give due personal notice to all persons residing in said bor-

Corporate authorities to give notice.

ough, directly interested therein, of any proposition to open, fix or change the roads, streets, lanes, alleys or courts, or in the grading or other regulations thereof, and to designate a time and place where they shall be heard in relation thereto; and in the case of persons not residing in said borough, such notice shall be given to the occupants of the respective premises by them held, affected by such proposition, or if unoccupied, by written or printed notices conspicuously posted upon such premises.

Collection of
taxes, relative to

SECTION 4. The said burgess and town council shall have full power and authority to designate the mode and manner of collecting all taxes assessed for borough purposes, and appoint a collector for that purpose, any law to the contrary notwithstanding.

Repeal.

SECTION 5. All laws and parts of laws inconsistent herewith, are hereby repealed, so far as they are applicable to said borough of Lebanon.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 501.

A N A C T

Declaring Tombs Run a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Tombs run, emptying into Pine creek, in the county of Lycoming, is hereby declared a public highway to its sources.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 502.

A SUPPLEMENT

To an act relating to the Fees of Aldermen, Justices of the Peace and Constables, in and for the city of Pittsburg, and counties of Washington and Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fee bill relating to aldermen, justices of the peace and constables, now applicable to the city of Pittsburg, be and the same is hereby extended to the city and county of Allegheny.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 503.

AN ACT

Authorizing the Manayunk Gas Company to Consolidate its Stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the number of shares of stock of the Manayunk gas company, authorized by law to be issued by the said company, be and the same is hereby reduced from two thousand shares, of the value of twenty-five dollars per share, to one thousand shares, of the value of fifty dollars per share; and the board of managers of said company be and they are hereby authorized to consolidate the stock of said company, and apportion the same among the shares and shareholders, pro rata, according to the amount of stock held by each shareholder.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 504.

A N A C T

Relating to the Collection of Taxes on Unseated Lands in the borough of New Brighton, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever borough taxes assessed on unseated real estate in the borough of New Brighton, Beaver county, shall remain unpaid by the owner or owners thereof, the treasurer of said borough shall certify the same to the proper county commissioners, as in similar cases unseated lands are now returned, and said commissioners shall enforce the collection thereof, at the same time and in the same manner, as taxes on unseated lands for county purposes are now collected; and when said borough taxes shall have been so collected, shall pay the same to the said borough treasurer, by warrants drawn on the county treasurer.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 505.

A N A C T

To amend the Road Laws and change the manner of Appraising Damages in the opening of Public and Private Roads, in the counties of Adams and Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four, in relation to the laying out of roads and assessing damages for the

county of Franklin, be and the same is hereby extended to the counties of Adams and Perry.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 506.

AN ACT

Relating to the Election of Officers of the Wyoming Canal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stated annual meeting of the stockholders of the Wyoming canal company, for the election of president and managers, shall hereafter be held in the city of Philadelphia, upon the third Monday of January in each year, at an hour and place to be fixed by the by-laws of said corporation; and if such annual meeting shall not be then held, said corporation shall not thereby be dissolved, but such annual meeting and election may afterward be held at any time thereafter, upon ten days' notice given in one newspaper published in the city of Philadelphia, and one in each of the counties of Luzerne, Columbia, Montour and Northumberland, in the state of Pennsylvania, and a like notice shall be given of all intended corporate meetings.

Election, when held.

Notice of election.

SECTION 2. That the board of managers of said corporation be and they are hereby authorized to elect a vice president from one of their number, who shall be entitled to receive such salary as may be established by the by-laws of said corporation.

May elect a vice President

Salary of

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 507.

AN ACT

To liquidate the amount due on a certain judgment, and to enforce the collection of the same.

Prothonotary authorized to liquidate the amount of a certain judgment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prothonotary of the district court of Allegheny county is hereby authorized and directed to liquidate the amount due upon a certain judgment in the case of the Commonwealth *vs.* Goodman Y. Coulter, in number eight hundred and thirteen, of July term, one thousand eight hundred and fifty-five, of said court. at the sum of three thousand five hundred and sixty-four dollars; and that said prothonotary enter upon the records of said court the said sum, as the true amount due upon said judgment.

G. Y. Coulter to pay the amount of the above judgment within a certain time.

SECTION 2. That in case said Coulter shall not pay, or cause to be paid, the above recited sum within three months after the passage of this act, a *fieri facias* may issue, upon which his real estate may be sold without inquisition and condemnation, or further stay of execution; but upon payment of said sum, said judgment shall be satisfied upon the records of said district court by the prothonotary thereof.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 508.

AN ACT

To lay out a State Road in Armstrong and Clarion counties.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Humphries and George Space, of Clarion county, and David Putney and John Steele, of Armstrong county, be and

the same are hereby appointed commissioners to view, lay out and mark a state road, beginning at Kellersburg, in Armstrong Route. county; thence on the best route by way of the mouth of Leatherwood creek, on Red Bank creek, to New Bethlehem, in Clarion county.

SECTION 2. That it shall be the duty of said commissioners, Duty of commissioners. or a majority of them, as soon as practical after having taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground, lay out and mark the route for the road aforesaid, in such a manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties of this act, the said commissioners, or a majority of them, are hereby enjoined to employ the said John Steele, of Armstrong county, as surveyor, Surveyor, &c. with an additional per diem allowance of two dollars, two chain carriers, with a per diem allowance of one dollar and fifty cents each; and the said commissioners respectfully shall receive a per diem allowance of two dollars for each day necessarily employed in performing their duties; which account shall be settled and paid by the commissioners of the proper county, in Pay. proportion to the time employed in each: *Provided*, That the Accounts, how settled. grade of said road shall not exceed five degrees. Proviso.

SECTION 3. That it shall be the duty of the surveyor to make Drafts. a fair and accurate draft of the location of said road, noting therein the courses and distances with reference to the improvements; one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of December next, and one copy in the office of the clerk of quarter sessions of each county, on or before said day; and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened to the width of thirty feet.

SECTION 4. That it shall be the duty of the supervisors of the Duty of supervisors. township respectively through which said road may pass, to open said road to mark as aforesaid, and keep the same in repair as all other roads are now opened and repaired.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 509.

A FURTHER SUPPLEMENT

To the act incorporating the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be lawful for the Pennsylvania railroad company to subscribe to the capital stock of the Fayette and Westmoreland railroad, any sum not exceeding four hundred thousand dollars: Provided, That before such subscription shall be made, the consent of a majority of the board of directors of the said Pennsylvania railroad company shall have been obtained, designating the amount of such subscription: Provided further, That the said subscription when made by the directors, shall be ratified and approved by a majority of stockholders present at a meeting called for the purpose of considering the same.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 510.

A N A C T

Declaring a Bridge between the counties of Armstrong and Clarion as a County Bridge.

WHEREAS, The bridge across Red Bank creek, where the public road crosses said creek, at the place known as the Rockport Mill, has been built by individual enterprise:

And whereas, The expense of keeping said bridge in repair is too great for the townships adjoining; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the bridge which is now built across Red Bank creek, between*

the counties of Armstrong and Clarion, at the place known as the Rockport Mill, be and the same is declared a county bridge, and to be governed by the laws now in force in relation to bridges built on county lines.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 511.

A SUPPLEMENT

To an act to incorporate the Newry Railroad Company, approved the fifteenth day of March, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the word January mentioned in the first section of said act, shall from and after the passage of this act, read February, and that the said word is hereby declared to be February instead of January.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 512.

A SUPPLEMENT

To the act to incorporate the Erie City Hall Association, approved the second day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the time for opening the books, and receiving subscriptions to the Erie City hall association, be and is hereby continued from the passage of this act, and extended until the first day of April, Anno Domini one thousand eight hundred and sixty-five; and any subscriptions which may be hereafter made to the capital stock of the said Erie City hall association, shall have the same force and effect as if the same had been made at the time provided by the act to which this is a supplement.

SECTION 2. That the trustees of the said Erie City hall association shall have the right and power, upon a vote of a majority of the stockholders thereof, to sell and convey all the rights, privileges and property of the said corporation, of whatever kind soever, to the corporate authorities of the city of Erie, and to receive therefrom money and bonds, mortgages, and other evidences of debt in payment of the purchase money thereof.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 513.

SUPPLEMENT

To the act for incorporating the Lehigh and Delaware Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Lehigh and Delaware plank road company shall have the privilege of extending their road by constructing branches or extensions thereof, not exceeding five miles in length in each case; and the said extensions or branches when finished, viewed and approved according to law, shall be deemed and taken a part of the said original road, with the same effect as if constructed at the same time; saving, however, all rights of other persons.

Authorized to extend road and make branches.

SECTION 2. That the construction of the plank road of said company as now finished and used in the two counties of Luzerne and Monroe, and across and along what was before a public highway for a short distance thereof, is hereby legalized; and nothing in the construction of the said road upon its present grades, or upon and along said public highway or outside of the county of Luzerne, shall prevent said company from continuing, maintaining and using the said road and the taking of tolls thereon, but the same shall be held and enjoyed by them with the same effect as if the same had been originally constructed according to the conditions of the charter: *Provided*, That nothing herein contained shall be construed to excuse said company from continuing at all times to keep said road in good repair according to law.

Authorized to use and occupy certain road.

Proviso.

SECTION 3. That in case the said road should be sold under the mortgage given by the said company, the purchasers at such sale shall succeed to all the rights, privileges, franchises, duties and liabilities of said company in the management of the said road: *Provided however*, That they shall not be liable for the previous debts of said company.

Rights and privileges of purchasers of road.

Proviso.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 514.

AN ACT

To incorporate the Mutual Fire Insurance Company of Annville, Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John H. Kingports, Doctor Henry A. Fanestock, David Black, George Rigler, Joseph F. Matz, Rudolph Herr, Samuel Beiver,

Corporators

Style.	Jacob Fink, Daniel S. Early, Jacob S. Killinger, John Alwine, Christopher Carmany, Peter Forney, their successors or assigns, are hereby made a corporation by the name of the Mutual fire insurance company of Annville, Lebanon county, Pennsylvania, and they and their successors are hereby made a body politic and corporate, in law, with all the legal incidents of a corporation aggregate: <i>Provided</i> , That they shall not have power to hold a greater amount of real estate than is necessary for the use of the corporation in the transaction of the business thereof, or such as shall be taken in security for, or in payment of debts; nor shall the yearly income thereof exceed two thousand dollars; nor shall any by-laws be repugnant to this instrument, the constitution of the United States or this commonwealth.
Proviso.	
Managers and election of.	SECTION 2. That the powers of this association shall be vested in thirteen managers, to be chosen by ballot, annually, on the first Monday of January, at an annual meeting of the company to be held, and each member being entitled to one vote.
Each insurer to be a member.	SECTION 3. That each insurer in or with said company, shall be a member thereof during the term of his or her policy, and no longer.
Meetings, when and where held.	SECTION 4. That the general meetings of this company shall be held annually on the first Monday of January, at some convenient place in the town of Annville and county of Lebanon, and also whenever called by the board of managers, or whenever requested by twenty members; and they shall at such general meeting pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, or vest the power so to do in the board of managers; and all elections shall be by ballot, each member entitled to one vote; said elections to be conducted by three judges chosen by the members present for that purpose, who shall certify under their hands the result of said election, and the same to be filed with the papers of the corporation; the managers for the time being shall choose from among their own members one to be president, and shall, also, from time to time, as it may be necessary, choose a treasurer, also appoint a secretary and such other agents and officers as may be necessary, and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned, as may be deemed necessary, or the interest of the company may require; and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply such vacancy which may happen by death, removal or resignation of and among their own members, until the next election; and they shall, at the annual meeting of the members, present to the company a general statement of its affairs.
By-laws.	
Elections.	
Officers.	
Fees and salaries	
Vacancies.	
Power of president and managers relative to insurances.	SECTION 5. That the president and managers shall have full power, on behalf of said corporation, to make insurance against losses by fire on any house, tenement, manufactory, barn or other buildings, and goods, wares, merchandize and effects, and household furniture therein, and on hay, grain and other agricultural products in barns, stacks or otherwise, and generally on all kinds of goods, wares and merchandize and effects, (except books of accounts, bill, bonds, ready money, jewels, plate, paintings, engravings and large manufactories;) to make, execute

and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary, and as the nature of the case shall or may require; and every such contract, agreement and policy to be made by the said corporation, signed by the president, and attested and signed by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made, and to procure a seal, with such device as they may deem proper, to be used by them as the common official seal of the company.

SECTION 6. That it shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof, in the purchase of any ground rents, mortgages, or in any loans on good and sufficient security; and no money shall be drawn from the funds of the said company, for the purpose of making dividends or dividing profits, nor for other purposes, than first

Profits of the company, how to be employed.

to defray the current or incidental expenses of the corporation, and then for the purpose of such damages as any member of said company, or insurer, may be justly entitled to; and when the just demand of any insurer in said company, or member thereof, shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same shall, without

Dividends.

necessary delay, be assessed by any three of the board of managers, appointed by the president, on the insurances, each member to pay in proportion to the amount he has insured, and publish the same; and all and every of the members of the company shall pay into the hands of the treasurer, his, her or their proportional part of such rates within forty days after such publication as aforesaid; and in default of such payment, he, she or they, and every of them making such default therein, shall forfeit and pay double the said rates; and neglecting to pay the said forfeiture for fifty days more, may, by the managers for the time being, be excluded and debarred from any benefit or advantage from his, her or their assurances respectively, and all right to the stock of this company, and shall, notwithstanding, be liable to said rates, pursuant to his, her or their covenants and

Assessments to defray losses, relative to.

agreements.

Payment of proportional rates.

SECTION 7. That all and every of the members of this company who shall sustain any loss by fire, shall give immediate notice to the president of the company, who shall appoint a committee of three from the board of managers, that shall examine and inquire into the same; and the said managers, with all convenient expedition, shall inquire into the same, and after ascertaining the sum which the said parties shall be lawfully entitled to, make provision and payment as herein specified.

Members sustaining loss to give immediate notice.

SECTION 8. That the members shall, at their general meetings, fix such rates of insurance, and incidental charges and fees, as may be deemed equitable and proper, or vest the power so to do in the board of managers; and any person who shall become a member of this corporation by effecting insurance therein, shall, the first time he effects insurance, and before he or she receives his or her policy, pay the rates that shall be fixed and determined upon; and no premium so paid shall ever be withdrawn from said company during the continuance of its charter.

Rates of insurance, &c.

SECTION 9. That in case any assured, named in any policy or contract of insurance made by the said corporation, shall sell,

Assignments of policies, relative to.

- convey or assign the subject insured, it shall be lawful for such assured to assign and deliver to the purchaser such policy or contract of insurance, and such assignee shall have all the benefit of such policy or contract of insurance, and may bring and maintain a suit in his or her own name: *Provided*, That before any loss happens, he or she shall obtain the consent of the president or secretary to such assignment, and have the same endorsed on or annexed to such policy or contract of insurance, to be according to the aforesaid directions for that purpose, and not otherwise.
- Profits.** SECTION 10. That the net profits arising from interest or otherwise, shall be ascertained yearly to every member, in proportion to his, her or their deposit, for which each member shall have a credit in the company's books; nothing in this charter to be construed as to allow any of the funds of the association to be used for banking and manufacturing purposes.
- Repeal, relative to.** SECTION 11. That if at any time it shall appear that the chartered privileges hereby granted are injurious to the public welfare, the power thereof to repeal shall not affect any engagement to which the said company may have become a party previously thereto, and that the said company shall have a reasonable time to bring their accounts to final settlement.
- First board of managers.** SECTION 12. That the first thirteen named persons in this bill to constitute the first board of managers, with power to organize the corporation and appoint a president, and other officers and agents agreeable to the spirit of this act, and to hold their power and authority until the next election as is herein provided, with all the powers contemplated to be vested in the board of managers elected by the company under the authority of this act.
- When policies to be issued.** SECTION 13. That no policy shall be issued by the corporation, until application be made for insurance to the amount of one hundred and fifty thousand dollars.
- Suits at law, relative to.** SECTION 14. That suits of law may be prosecuted and maintained by any member against said corporation, for losses or damage insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses, and no member of the corporation not being in his own individual capacity a party to such suit, shall be incompetent as a witness: *Provided*, That the managers do not agree to rebuild or replace the property lost or damaged, in which case a reasonable time shall be allowed them.
- Provide.** SECTION 15. Any amendment or alteration may be made to the constitution at any general meeting by a majority of the whole association: *Provided*, That the same is not repugnant to the constitution of this commonwealth, or of the United States.
- Amendments or alterations to constitution.** SECTION 16. That the privileges hereby granted shall expire at the end of twenty years.
- Limitation.**

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 515.

A N A C T

To incorporate the Kylertown, Morrisdale and Philipsburg Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Dr. G. F. Hoop, Moses R. Denning, Joseph C. Brenner, Andrew Hunter, J. C. Williams and Chester Munson, be and are hereby appointed commissioners, or any two of them, to open books, receive subscriptions and organize a company by the name, style and title of the Kylertown, Morrisdale and Philipsburg plank road company, with power to construct a plank or other artificial road, commencing at the village of Kylertown; thence via Morrisdale to Philipsburg, and intersect the Tyrone and Clearfield railroad at that point by the nearest and most practicable route, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders had at a meeting called for the purpose, increase their capital stock, if it shall be deemed necessary to carry out the true intent and meaning of the act.

SECTION 3. That if said company shall not commence construction of said road in two years, and complete the same in four from the passage of this act, then this act shall be null and void, except so far as the same may be necessary to wind up and settle the affairs and pay the debts of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 516.

A N A C T

Regulating the Fees of Aldermen, Justices of the Peace and Constables relative to Poor and Indigent Persons in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the several aldermen and justices of the peace in the county of Lancaster, upon the application of any poor and indigent person or persons, who are legally settled in the said county of Lancaster, to give to such poor or indigent person or persons an order of admission into the hospital, or house of employment of said county, as the circumstances of the case may require, for which service no alderman or justice of the peace aforesaid, shall receive any fee or reward; and it shall be the duty of the several constables of the said county of Lancaster, to execute any such order of relief or removal of a pauper, for which service they shall receive from the directors of the poor of the said county, the sum of five cents per mile circular, and no more: *Provided,* That in all cases in which there is more than one order executed by any constable at the same time, for the first order five cents for each mile circular; for the second, four cents; for the third, three cents, and for any additional number of orders above three, executed at the same time, no mileage shall be allowed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 517.

AN ACT

To incorporate the Philomathean Institute of Union township, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and is hereby established at or near Birdsboro', in the township of Union, county of Berks, an institute for the education of youth in the learned languages, useful arts and sciences and general literature, by the name, style and title of the Philomathean institute, under the care and direction of six trustees, the first two named, for one year; the second two named, for two years; the third two named, for three years; at the first election after which, two shall be elected annually at the annual elections, who, and their successors in office, shall and are hereby declared to be one body politic and corporate in deed and in law, and by the aforesaid name, style and title shall have perpetual succession, and shall be capable in law to sue and be sued, to have a common seal, and the same to alter and renew at pleasure; and shall be capable to take, to hold and purchase for the use of said institute, lands, goods, chattels, moneys of any kind whatsoever, by gift, grant, conveyance, device or bequest, from any person or persons whomsoever capable in law of making the same; and the same from time to time to sell, convey, mortgage, or dispose of for the use of said institute; and to erect such buildings as may be necessary, and generally to do all and singular the matters and things which it may be lawful for them to do for the well being of the institute, and the due management and ordering the affairs thereof: *Provided*, That the estate, real and personal, of said institute, shall not at any time exceed the sum of fifteen thousand dollars.

SECTION 2. That until trustees for said institute shall be elected by the stockholders in manner hereinafter provided, Messrs. Caleb Harrison, Hermon Umstead, Hezekiah B. Egolf, George Maxton, Edward Brooke and John F. Linderman, shall be and are hereby authorized to serve as trustees of said Philomathean institute.

SECTION 3. That an election of trustees shall be held in the principal building of said institute on the first Monday of May of each year, at five o'clock, P. M., and continue until six, P. M.; the said election shall be conducted by two managers to be appointed by the trustees then acting as such; the said election shall be by ballot, and every share of stock shall entitle a holder to one vote: *Provided however*, That no person shall be entitled to more than four votes.

SECTION 4. That the board of trustees shall have power to fill vacancies, to elect a president, treasurer and secretary, who shall be members of the board; they may have power to enact such

Institution established.

Style.

Election of trustees.

Powers.

Proviso.

First trustees.

Election of trustees, when and where held.

Proviso.

- By-laws. by-laws as may be necessary for the well being and government of said corporation: *Provided*, That no by-laws or ordinance shall have any force or effect which shall be repugnant to the constitution and laws of the United States or this state, nor shall any person, either as principal, master, tutor or pupil, be refused admission into said institute on account of his or her belief or persuasion in matters of religion: *Provided*, He demean himself in a sober, orderly manner, and conform with the rules and regulations of this institute; a majority of said trustees shall constitute a quorum for the transaction of business; the said trustees to receive subscriptions in sums not less than twenty-five dollars, and to issue certificates of stock under the seal of the corporation, each certificate to represent the sum of twenty-five dollars of said subscription; the money so received to be expended in the purchase of real estate, the erection of buildings, the purchase of books, philosophical apparatus, and other property necessary for the use of said institute; and the said trustees may lease or hire, if they deem it expedient, the real and personal estate of said corporation to a competent teacher or teachers, or other person or persons for educational purposes only, and receive and collect rent and compensation for the use of such real and personal estate, and the same to divide ratably among the stockholders, after first deducting all necessary charges and expenses for repairs and the due management of the affairs of the said institute.
- Proviso.
- Treasurer and duties of. SECTION 5. That the treasurer shall receive and hold all moneys belonging to the corporation, and pay out the same to the order of the board, signed by the president and secretary, or a majority of the trustees; and he shall keep fair accounts thereof, which shall be audited and settled by the trustees, in the same manner as the accounts of the treasurer of common school districts are now audited by law and settled, and subject in a like manner to appeal; and before entering upon the duties of his office, shall give a bond, with one or more sufficient sureties, to be approved by the board of trustees, in a sum equal to double the estimated amount of money to be received by him, conditioned for the faithful discharge of the duties of his office and the payment of all moneys remaining in his hands at the end of the year, to his successor in office; and the secretary and
- Bond.
- Compensation of secretary and treasurer. treasurer may receive such compensation as may be thought reasonable by the board of trustees; but no other officer shall receive any fee or reward, whatever, for his services; and it shall be the duty of the trustees to report, annually, at the expiration of their term of office, the condition of the finances and other affairs of said corporation; which report, together with the books of the corporation, shall be open at all proper times, to the examination and inspection of all persons interested, and who are at such times stockholders of said corporation.
- Misnomer. SECTION 6. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the intent of the parties shall sufficiently appear in said gift, grant, will or other writing, whereby any estate or interest in any thing, real or personal, was intended to pass to said corporation.
- Proviso.

SECTION 7. That the president, secretary and professors, tutors and other teachers, or a majority of them for the time being, shall constitute the faculty of the institute, and in their respective departments shall have the power of enforcing the rules and regulations adopted by the trustees, for the government and instruction of the students; and the president and professors, with the counsel and consent of a quorum of the trustees, or a majority of the trustees present, shall have the power to grant and confirm unto the students of the institute, or unto others deemed worthy, such academical degrees in the liberal arts and sciences, or in certain branches thereof, as have been usually granted in other institutes; to grant likewise to said graduates, diplomas, under the common seal of the corporation, in order to authenticate and perpetuate the memory of such graduation; and to grant also certificates to such students as have duly completed their course of studies prescribed in any subordinate department of the institute.

Faculty, powers of, &c.

Degrees may be conferred.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 518.

AN ACT

To incorporate the Hydropathic College and Institute of Loretto.

WHEREAS, It is represented to the legislature of Pennsylvania that it is desired by the persons hereinafter named, as well as by many others, to found and establish a college or institute, for the purpose of giving instruction and education to persons desirous of acquiring it, in the art and practice of curing diseases by water, known as the Water Cure or Hydropathic system, on the property of Francis A. Gibbons, Esq., near Loretto, in Cambria county, in this State; and for the more effectual carrying out of said purpose, it is also desired to establish, in connection with said college or institute, a hospital or institution for the practical cure or treatment of diseases by such system; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William Gwinn, William Ziegler, John Thompson Mason, Wil-*

Corporators.

- liam Verbeck, John Brady and Francis A. Gibbons, and such other persons as may become subscribers to, or holders of the capital stock of the corporation created by this act, their successors and assigns, be and they are hereby made and created a body politic and corporate, under the name and style of the Hydropathic college and institute of Loretto, for the purposes expressed in the above preamble.
- Style.**
- Manner of putting in operation the corporation.**
- Letters patent.**
- Powers.**
- Proviso.**
- Capital stock.**
- Management of corporation.**
- SECTION 2. That the mode and manner of putting in operation the corporation hereby formed and created, shall be as follows: When ten per cent. of the capital stock shall have been subscribed, and one dollar per share paid in, the parties named in the foregoing section as corporators, or a majority of them, shall certify to the governor of the state the names of subscribers, the number of shares subscribed, and that one dollar per share has been paid; whereupon the governor shall issue letters patent, under his hand and the seal of the commonwealth, declaring this corporation made and constituted under the provisions of this act, and endowed with all the privileges, immunities, franchises and powers incident to a corporation, and set forth in the foregoing section, under the name and style aforesaid, of the Hydropathic college and institute of Loretto, viz: The founding of a college for the instruction of persons in the art and practice of the Water Cure, or Hydropathic system of curing diseases, and the establishment of a hospital for invalids and patients in connection therewith; and by that name shall have perpetual succession, and shall be able and capable to sue and be sued, implead and be impleaded in any court of law or equity in this state; shall have and use a common seal, and the same shall alter or amend at pleasure; shall be able and capable to receive, have, purchase, hold and enjoy, for the use and purposes of said corporation, the Hydropathic college and institute of Loretto, any estate in lands, tenements, annuities, goods, chattels, money or effects, and the same to grant, sell, alien or dispose of, in any manner, in furtherance of the purposes and objects of this incorporation: *Provided*, That the yearly income of the property to be so held by them shall not exceed, in value, the sum of ten thousand dollars.
- SECTION 3. That the capital stock of said corporation shall consist of one thousand shares of twenty-five dollars each; but the president and directors hereinafter mentioned, shall have power to increase said capital stock to such an amount as may be found necessary and expedient: *Provided*, That the whole amount of said capital stock shall not exceed the sum of fifty thousand dollars.
- SECTION 4. That the affairs of said corporation shall be managed by a president and five directors, to be chosen from among the stockholders; the first election shall be immediately on the organization of the corporation; and every subsequent election thereof shall be held on the first Monday of May in each and every year thereafter, or on such other day as the by-laws of the corporation hereby formed, shall direct; and the said officers shall continue in office until a new election and the acceptance of their successors; and the said president and directors so chosen, shall have full power and authority to make such by-laws and ordinances, for the government of said college or in-

stitute, and of the hospital to be established in connection therewith, as they may think proper, subject to the control and supervision of the stockholders, at their annual meetings for election of officers, and to the laws of the United States and of this state.

SECTION 5. That the said president and directors so chosen as aforesaid, shall have full power and authority to appoint teachers or professors for said college, and physicians and a superintendent for said hospital, and to remove the same when in their discretion necessary. Teachers and professors, appointment of.

SECTION 6. That the said president and directors, in conjunction with the teachers and professors of said college, shall have full power and authority to confer upon persons receiving instruction and education, for a term of not less than three years, in their said college or institute, in the art and practice of the Hydropathic system, a diploma or certificate, certifying to such fact, and that the persons so receiving it are qualified to practice the same in the cure and treatment of diseases. Conferring of diplomas, relative to.

SECTION 7. That the capital stock of said corporation shall be deemed personal property, and the shares thereof may be transferred on the books of said corporation, in such manner as the by-laws shall direct. Capital stock.

SECTION 8. That the said corporation shall have full power and authority to erect on their property, and keep in use and employment, all such means of exercise for the promotion of the health of invalids and patients as are usually employed in the said water cure or Hydropathic system, and as may be recommended by the physician of said hospital. Further powers

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 519.

SUPPLEMENT

To the act incorporating the Catawissa and Towanda Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That E. M'Neil, Jacob Snyder, Jr., Charles C. Finch, William Mey-*

lert, James Clarkson, Andrew Nicole, George D. Jackson, B. Rush Jackson, Warren J. Woodward, Lot Search, George W. Search, Levi L. Tate and James Thompson, in addition to those named in the former acts, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Catawissa and Towanda railroad company: *Provided*, That the time of commencing said road be extended to ten years from the passing of this act, and the time of completing to fifteen years from the passing of this act: *Provided*, That the location of said road may be so changed as to commence at any point on the Lackawanna and Bloomsburg railroad below the station at Hunlock's run, thence to the head waters of Fishing creek.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 520.

AN ACT

Relative to the List of Assessments in Cambria county.

Preamble.

WHEREAS, A large number of the original assessment lists in said county have become so defaced as to be almost illegible, and difficult to be read as evidence in the court of the county of Cambria:

And whereas, There now remains in the county commissioners' office of said county, a transcript of the said original assessments, commencing in the year one thousand eight hundred and thirty, and continued up to the year one thousand eight hundred and fifty-eight:

And whereas, No transcript of the original assessments of said county was ever made from the year one thousand eight hundred and ten, to the year one thousand eight hundred and twenty-nine, both inclusive; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the said transcribed assessments from the year one thousand eight hundred and thirty, to the year one thousand eight hundred and fifty-eight, both

Transcribed assessments to be competent evidence.

inclusive, shall be as competent evidence in any court of record of this commonwealth as the originals now are.

SECTION 2. The county commissioners of said county are hereby authorized and empowered, whenever they shall deem the same necessary, to employ some competent person to transcribe into books to be procured for the purpose, the said original assessments from the year one thousand eight hundred and ten, to the year one thousand eight hundred and twenty-nine, both inclusive; and for said transcribing the person so employed shall receive a just and fair compensation, to be fixed by the said commissioners, and to be paid out of the county funds.

Original assessments to be transcribed into books, &c.

Compensation for transcribing.

SECTION 3. That the assessments mentioned in the preceding section of this act, when transcribed and directed in said section, shall have the same legal effect as is given by the first section to the transcribed assessments from the year one thousand eight hundred and thirty, to the year one thousand eight hundred and fifty-eight, both inclusive.

Legal effect of transcribed assessments.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 521.

A FURTHER SUPPLEMENT

To an act incorporating the Susquehanna Railroad Company, approved the ninth day of April, Anno Domini one thousand eight hundred and thirty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Susquehanna railroad company shall have the right to commence the said railroad, either at East Pittston or West Pittston, and connect with any other railroad or railroads at said points, and thence pass up the Susquehanna river on either side, and cross the same whenever they may deem it necessary, with the further right to cross and re-cross the North Branch canal, on such terms and conditions as may be agreed upon by said railroad company and the North Branch canal company, not interfering with the navigation of the same, to the state line between this state and the state of New York, at any point in Bradford county, Pennsylvania; all the laws for obtaining right of way, enjoyed by the Sunbury and Erie and Pennsylvania

Route of road relative to.

Central railroads, shall apply to the Susquehanna railroad company.

May borrow
money.

Proviso

SECTION 2. That the said company be and are hereby authorized to borrow money, to any amount not exceeding three millions of dollars, upon the coupon bonds of said company, whenever the directors shall deem the issue of said bonds expedient: *Provided*, That the rate of interest on said bonds shall not exceed seven per centum per annum, and that no bond shall be issued for a less sum than one hundred dollars; the said bonds may be convertible into the stock of the company, and secured by a mortgage upon the rights, privileges, franchises and property of the said company.

Repeal

SECTION 3. That so much of the act to which this is a supplement, as allows the said company to commence or build the said railroad any lower down the Susquehanna river than West Pittston, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 522.

AN ACT

Relating to Costs in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases where petit juries may by law direct that a prosecutor or defendant shall pay the costs thereof, any such jury may direct that a prosecutor shall pay a portion and the defendant or defendants a portion thereof, and shall designate in such case what portion each party shall pay.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 523.

AN ACT

To equalize Taxation upon Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the capital stock of all banks, savings institutions, and companies whatever, incorporated by or under any law of this commonwealth, or that may be hereafter incorporated, shall be subject to and pay a tax into the treasury of the commonwealth annually, at the rate of one-half mill for each one per cent. of dividend made or declared by such bank, savings institution or company; and in case of no dividend being made or declared by such bank, savings institution or company, then three mills upon a valuation of the capital stock of the same, agreeably to the thirty-third section of the act of twenty-ninth April, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt and incorporate the Pennsylvania railroad company;" and so much of any existing law as is inconsistent with the foregoing provisions is hereby repealed: *Provided,* That any institution or company, (except banks of issue,) now liable for tax on capital stock, as also upon dividends, shall from henceforth be exempt from any tax upon dividends: *And provided further,* That hereafter all banks of deposit and discount, or savings banks, shall be subject to the same tax as banks of issue; nothing, however, herein contained shall be construed to make building associations, plank road or turnpike companies liable for any tax to the commonwealth, when such companies make or declare no dividends: *And provided further,* That nothing contained herein shall be taken or construed to apply to, or in any manner affect the existing law relative to tonnage tax on the Pennsylvania railroad: *Provided also,* That all unsettled accounts shall be adjusted in accordance with the provisions of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 524.

AN ACT

To alter the number of Trustees in the State Savings Fund, incorporated as the Dime Savings, in one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the number of trustees of said corporation shall consist of not less than seven, nor more than seventeen; and they shall be invested with all the powers, duties and responsibilities of the present board.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 525.

AN ACT

For the Assessment and Recovery of Damages upon the North Branch and Wyoming Canals.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That within three months after the passage of this act the courts of common pleas of the several counties in which the North Branch and Wyoming canals are located, (which are now owned by the North Branch canal company and the Wyoming canal company, respectively,) shall appoint three competent and disinterested persons, none of whom shall reside in either of the said counties in which said canal is located, to appraise and assess damages and investigate other demands consequent upon and arising out of the location, construction, repair and use of the canals which either of the said companies is liable to pay, in pursuance of the seventh section of an act for the sale of the state canals, approved the twenty-first day of April, one*

Courts to appoint
commissioners to
assess damages
and investigate
claims.

thousand eight hundred and fifty-eight, to be called the commissioners of canal claims; and said commissioners shall take into consideration the advantage as well as disadvantage in making their award.

SECTION 2. That notice of the appointment of the said commissioners shall be served upon each person so appointed, by the sheriff of the proper county or his deputy, within twenty days after said appointment shall have been so made, for which services the said sheriff shall be allowed such fees as are by law allowed for similar services.

Notice of appointment to be served by sheriff.

SECTION 3. That the said commissioners of canal claims shall, within ten days after being so notified of their appointment, meet at the prothonotary's office of the proper county, and shall be severally sworn or affirmed by the said prothonotary or his deputy, to well and truly appraise and assess all damages, and investigate all other claims and demands which shall be brought to their notice, according to the provisions of this act, consequent upon and arising out of the location, construction, repair and use of the North Branch canal or the Wyoming canal, (as the case may be,) as provided for in this act, and a true report make to the court of common pleas of said county, a copy of all which oaths or affirmations shall be signed by the said commissioners and filed in the said prothonotary's office: *Provided*, That in case of the neglect of any of the said commissioners to appear and assume the duties of his appointment, as hereinbefore provided, or in case of a vacancy occurring in the said board, from any cause, at any time thereafter, the said courts, or a majority of the judges at chambers, shall, on notice of the fact by any party interested, or by the remaining commissioner or commissioners, appoint some other person or persons to fill such vacancy or vacancies; and such person or persons, before entering upon the duties of the appointment, shall be qualified as hereinbefore required.

Proviso.

SECTION 4. That the said commissioners shall, immediately upon being so organized and qualified, give public notice through two newspapers, if there be so many, and if not, in at least one newspaper in the proper county, of the time and place of commencing the assessment, appraisement and investigation, which shall be the northern boundary of the proper county, and shall examine all claims in their order, as far as it is possible, in connection with a proper discharge of their duties required by this act; which time shall not be less than thirty, nor more than ninety days after being so organized; and the said commissioners shall cause a copy of such notice to be served upon the North Branch, or Wyoming canal company, as the case may be, by leaving a copy of the same with the president, secretary, treasurer, or any member of the board of directors of said company, at least ten days before the time so fixed for commencing the appraisement, et cetera, aforesaid.

Public notice to be given of the time of commencing the assessment, appraisement and investigation.

Copy of notice to be served on canal companies.

SECTION 5. That the commissioners shall, after giving the aforesaid notice, proceed to examine the claims before them, and in case of damages, to personally examine the lands claimed to be damaged; and either one of said commissioners may issue subpoenas, administer oaths to witnesses, and issue attachments to compel the attendance of witnesses; and after they have

Duties and powers of commissioners.

heard the parties, their proofs and allegations, they shall proceed to estimate and determine the damages or other demands, if any, and to what amount and to whom payable, and make a report thereof, and shall file said reports in the court of common pleas with the prothonotaries, together with the evidence; and in all cases not appealed from, as hereinafter provided, when the award is not paid within sixty days from the day of filing the same, the prothonotary of the proper county is hereby required to enter judgment for said amount, and execution may issue on the same as in similar cases, as is provided by the existing laws of the commonwealth.

Claims to be filed
in prothonotary's
office.

SECTION 6. That any person or persons, or corporation having any claim for damages, or other demands as aforesaid, shall, on or before the first day of August next, by themselves, their attorney or guardian, or next friend, file in the court of common pleas of the proper county with the prothonotary, a statement setting forth specifically and in detail the nature and amount of said claim or claims, with a description of the property, and a brief of the title thereto said to be damaged, which statements so filed shall be sufficient legal notice of said claim, to the North Branch, or Wyoming canal company, as the case may be, for the purposes contemplated by this act; and the prothonotary of the proper county shall furnish such commissioners a certified copy of all claims filed in his office as aforesaid, all of which shall be passed and reported upon by said commissioners.

Prothonotary to
furnish certified
copies.

Copies of papers
of the late canal
commissioners to
be evidence.

SECTION 7. That all certified copies of papers of the late canal commissioners, and their printed journal, and certified copies of all papers on file in any of the departments of state, as well as original papers and proof of the contents of those that are lost, shall, if pertinent, be received in evidence by the board of commissioners or the court, in adjudicating said claims; the said commissioners shall complete the investigation required by this act, within one year from the time of their appointment, and shall be paid by the said canal company for their services, three dollars per day for all time necessarily occupied, and ten cents per mile for all necessary travel.

Either party may
appeal on giving
security for costs,
&c.

SECTION 8. That in all cases either party, upon giving security for costs as hereinafter provided, may appeal within twenty days after the filing of said report; and the party appealing shall make an affidavit that the same is not for the purpose of delay, but that injustice has been done; and when such appeal shall have been entered, the court of common pleas of the proper county shall in each case so appealed, appoint seven disinterested persons, who shall not reside within ten miles of said canals, and fix a time, not less than twenty, nor more than thirty days thereafter, for said jury of viewers to meet upon the premises where the claim for damages or other demand may be alleged to have arisen, as by petition presented for previous view, of which time and place ten days' notice shall be given by the appellant to the other party; and the said jury, or a majority of them, having been first sworn or affirmed by some person competent to administer oaths, faithfully, justly and impartially to decide and a true report make concerning all the matters and things submitted to them, and in relation to which they are authorized to inquire, in pursuance of the provisions of this

act, they shall perform all the duties and have all the powers conferred by this act on the former board of commissioners; and after having made a fair and just examination, they or a majority of them shall estimate and determine whether any, and if any, what amount of damages have been sustained, or what amount may be due on other demands, and to whom payable, and make report thereof, stating particularly therein when and how the damages were occasioned to the court: *Provided*, ^{Proviso.} That the evidence adduced in every case (on appeal) shall be reduced to writing, and the same, together with drafts of the premises in question, in cases of damages, shall be filed with the report; and either party may, at any time within thirty days after filing said report, file exceptions thereto; and on motion said court shall grant a rule on the opposite party, to shew cause why said report shall not be set aside; and on the disposition of said rule, the court shall pass upon the whole evidence in the case, and decide the same upon its merits; and if approved by the said court, then judgment shall be entered thereon, and if not approved by said court, an issue shall be formed by the parties, under the direction of the court, to try the validity of the claim as filed under the provisions of the sixth section of this act; and from thenceforth like proceedings shall be had as though the case had been originally brought in said court, with the right of the writ of error.

SECTION 9. That the doctrine of legal tender by the said companies shall have its full legal effect upon all questions of costs; ^{Relative to costs and appeals.} and that in all cases of appeals the appellants shall give security for all costs that shall accrue in consequence of said appeal, in the same manner and with like effect as now provided for in cases of appeal from award of arbitrators, by the twenty-ninth and thirtieth sections of the act relating to reference and arbitration, approved the sixteenth day of June, A. D. one thousand eight hundred and thirty-six.

SECTION 10. That the said commissioners shall each receive the ^{Compensation.} sum of three dollars per day for each and every day necessarily spent by them in and about the business of their appointment, and five cents for each and every mile of necessary travel; and the fees of witnesses upon second view, and persons serving subpoenas and other process, shall be the same as now allowed by law for similar services.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 526.

A N A C T

Supplementary to an act to incorporate the Union Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Solomon K. Hoxie, William B. Foster, Morton M'Michael, Samuel Megargee and Theodore Cuyler, shall be commissioners, in addition to those named in the act to which this is a supplement, and with the same effect in all respects as if named in said act originally.

Additional commissioners.

Sites for depots,
stations, offices,
&c., relative to.

SECTION 2. That the provisions of the tenth and eleventh sections of an act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, be and the same are hereby extended and applied, so far as said Union railroad company are concerned, to the obtaining of a site or sites for depots, stations and offices requisite for the transaction of the business and the effecting of the purposes for which said company is incorporated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 527.

A N A C T

For the relief of the estate of James Rogers, deceased.

WHEREAS, That on the night of thirtieth day of April, A.D. one thousand eight hundred and fifty-six, the foundery of James Rogers, late of East Vincent township, Chester county, deceased, was destroyed by fire, and the day books containing the original entries for merchandize, goods and chattels, sold and delivered, and work and labor done, and other evidences of debt were destroyed, with the safe in which they were; in consequence of which great loss and injustice must be sustained by said estate, unless a remedy be provided:

And whereas, It is impossible to prove every particular item of an account of goods sold and delivered, and work and labor done, where the books of original entries have been lost or destroyed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the ledgers (which were saved so as to be made out) shall be evidence in law, to prove the sale and delivery of the amount of merchandize, work and labor done, therein posted or transcribed in the regular manner, by the oath or affirmation of the person who posted or transcribed the same, to have the same force and effect, and no more than the day books would have.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 528.

AN ACT

Authorizing the Auditor's of Forest county to re-audit the State Account of William R. Coon and John D. Hunt, late Treasurers of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the auditors of the county of Forest, after due and timely notice to all parties concerned, to meet at the commissioners' office in said county, and re-audit the state accounts of William R. Coon and John D. Hunt, late treasurers of said county, with the commonwealth of Pennsylvania; and having so made the same, they shall transmit certified copies thereof to the state treasurer and auditor general; and such re-audit so made as aforesaid, shall have the same effect as in other cases against the commonwealth as against the said William R. Coon and John D. Hunt and their sureties.

Auditors to re-audit the accounts of W. R. Coon and J. D. Hunt, late county treasurers.

Certified copies of report to be sent to auditor general.

SECTION 2. That not less than twenty days' notice of the place of meeting of said auditors, for the purpose of re-auditing said accounts, shall be given to the auditor general, who is hereby authorized to attend and take part in said re-audit, either in person or by a duly authorized agent.

Notice of the place of meeting to be given to auditor general.

Attorney general
to suspend pro-
ceedings, &c.

Proviso.

SECTION 3. That for the purpose of carrying out the intention of this act, the attorney general is hereby authorized to suspend proceedings in relation thereto, until such re-investigation is had, not exceeding six months from the passage of this act: *Provided*, That nothing herein contained is to be so construed as releasing the bail.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 529.

A FURTHER SUPPLEMENT

To an act to encourage the Manufacture of Iron with Coke or Mineral Coal, and for other purposes, passed the sixteenth June, Anno Domini one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to encourage the manufacture of iron with coke or mineral coal, and for other purposes," passed the sixteenth of June, one thousand eight hundred and thirty-six, be and the same is hereby extended to the manufacture of flour and meal from wheat, rye, corn, and other grain in the county of Clinton.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 530.

A N A C T

To Restrict Sales by Auction in the counties of Northampton, Dauphin and Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall not be lawful for any person or persons within the limits of the counties of Northampton, Dauphin and Lehigh, to expose to sale, and sell at auction or outcry to the highest bidder, any goods, wares or merchandize not manufactured or produced by him, her or them, within the limits of the said counties of Northampton, Dauphin and Lehigh: *Provided,* That this act shall not be so construed as to prohibit sales by sheriffs, coroners, constables, executors or administrators, trustees or assignees, or other persons who by law are required to sell by auction; nor shall it be so construed as to prohibit sales at auction of horses, mules or cattle, or any kind of animals, nor carriages, wagons, harness or farming utensils, or mechanical instruments, nor to second hand household or kitchen furniture; nor shall it be so construed as to prohibit merchants who have been in business in the respective counties for a period of six months prior thereto; nor shall it be so construed as to prohibit mechanics or professional men from selling at auction the tools, books or implements of their trade or calling; nor in any of the foregoing cases, the employment of an auctioneer or agent to do what his, her or their principal may lawfully do.

Relative to sales
at auction in cer-
tain counties.

Proviso.

SECTION 2. That each and every person offending against the provisions of this act, shall, for every such offence, forfeit and pay the sum of fifty dollars, to be recovered before any alderman or justice of the peace in an action of debt, one-half to the party who shall bring suit, and one-half to the use of the proper county; and no person shall be disqualified from testifying by reason of any interest he may have as a citizen of such county: *Provided,* That before any warrant of arrest, or capias, shall issue, to hold the party to bail, the plaintiff, or his or her agent or attorney, shall file an affidavit setting forth the cause of action.

Penalty

Proviso.

SECTION 3. That all acts and parts of acts of assembly inconsistent with the provisions of this act, are hereby repealed, and laws in force for the collection of debts, shall be held to apply to the institution of suit, and the recovery of the penalty under this act.

Repeal.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 531.

AN ACT

To correct a Clerical Error in an act, entitled "An Act to incorporate the Trustees of the Young Men's Christian Association Building of Philadelphia," approved the eighteenth of February, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to incorporate the trustees of the Young Men's Christian association building of Philadelphia, approved eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine, be amended by inserting before the word "Reformed," in the first section after the words, "Charles Santee, of the," the word "German," so as to read Charles Santee, of the German Reformed denomination; and the secretary of the commonwealth is hereby authorized and directed to cause the said act to be published with the word "German" inserted, according to the provisions of this act.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 532.

AN ACT

Authorizing the Sheriff of Philadelphia county to sell certain real estate in lots, parcels or sub-divisions.

WHEREAS, Certain real estate in the county of Philadelphia, belonging to the estate of George Knorr, dec'd, and others, has been advertised for sale by the sheriff of said county, under the order of the district court:

And wherias, The extent and location of said property renders it advisable that the same should be sold in sub-divisions, lots or parcels; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sheriff of said county is hereby authorized and required to sell said property, situated on and near Germantown road, in the county of Philadelphia, belonging to the estate of George Knorr and others, in such lots, sub-divisions or parcels, as will best conduce to the interest of the heirs of the said George Knorr, dec'd: *Provided,* That all such sub-divisions, lots or parcels, shall be sold at one and the same time, by said sheriff.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 533.

A N A C T

To authorize the Auditors of Sullivan county to re-audit the Accounts of James Taylor, late Treasurer of said county, with the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the auditors of the county of Sullivan, after due and timely notice to all parties concerned, to meet at the commissioners' office, at Laporte, in said county, and re-audit the accounts of James Taylor, late treasurer of said county, with the commonwealth of Pennsylvania, and such other accounts as may be necessary to explain the same, or as may be connected therewith, and having so made the same they shall transmit certified copies thereof to the state treasurer and auditor general; and such re-audit so made as aforesaid, shall have the same effect as in other cases against the commonwealth as against the said James Taylor, and his sureties.

Account of James
Taylor to be re-
audited.

SECTION 2. That not less than ten days' notice of the time and place of meeting of said auditors, for the purpose of re-auditing said accounts, shall be given to the auditor general, who is hereby authorized to attend and take part in said re-audit, either in person or by a duly authorized agent: *Provided,* That

Notice to be
given to auditor
general.

Proviso.

nothing herein contained shall be construed to release the sureties of said James Taylor.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 534.

AN ACT

To incorporate the National Art Association.

Corporators.

Style

Powers

Object and design

Board of managers, when chosen

Officers

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* R. W. Bernard, J. G. Ford, F. Kopp, W. S. Cummings, R. Farrell, S. Winslow, J. Queen, H. G. Fisher, their associates and successors, are hereby erected into a body politic and corporate in deed and in law, by the name and style of the National Art association and literature, for the promotion of the arts of design, and the dissemination of a taste for pure literature in the United States, and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all the courts of law and elsewhere, with all the powers, rights, privileges, and subject to the restrictions contained in the second, third and fourth sections of an act to confer on certain associations of the citizens of this commonwealth the powers and immunities of corporations or bodies politic in law, passed the sixth day of April, one thousand seven hundred and ninety-one.

SECTION 2. That the object of this association shall be the encouragement of the arts of design, and the dissemination of a correct taste for pure literature throughout the community, by the purchase of pictures, and other works of art, the distribution of engravings, the publication of books, pamphlets, or by such other means as may be most conducive to the proper fostering of art and literature; a subscription of five dollars per annum shall constitute each subscriber a member of the association; the affairs of this association shall be conducted by a board of six managers, to be chosen annually, by ballot, on the first Monday of March; the managers shall appoint a president, a vice president, a treasurer, a recording secretary and a corresponding secretary, either from themselves or from the managers

generally; the managers shall have power to supply any vacancies in their own body; the board of managers shall adopt measures for procuring paintings, engravings, and other works of art, and cause the same to be distributed among the subscribers; the board of managers, or the officers appointed by them, shall receive subscriptions, pay all demands against the association, and make such disposition of any surplus funds as shall to them seem best, or shall be specially directed by the by-laws. Power of managers.

SECTION 3. The mode of distribution shall be the same as that provided for in the act, entitled "An Act to incorporate the Cosmopolitan Art association," approved the third day of May, one thousand eight hundred and fifty-five. Mode of distribution, relative to.

SECTION 4. That the capital stock of the said association shall be twenty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, divided into shares of twenty-five dollars each, and there shall be paid into the treasurer of the said association by each person subscribing to the capital stock, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, and the remaining sum due on each share shall be paid in such instalments, and at such times as the financial condition of the association shall require, to enable it to successfully carry into effect and accomplish the object for which it is intended, namely, the encouragement of the arts of design and the dissemination of a correct taste for pure literature. Capital stock, how paid in, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 535.

A SUPPLEMENT

To an act to incorporate the city of Carbondale, passed March fifteenth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor's court of the city of Carbondale shall have jurisdiction in cases of divorce, in cases arising under the act of May fourth, one thousand eight hundred and fifty-five, entitled "An Act relating to certain duties and rights of husband and wife, Mayor's court to have jurisdiction in divorce cases.

and parents and children," under the laws relating to writs of habeas corpus, under the laws relating to lateral railroads, under the laws for perpetuating testimony, and relating to the contracts of decedents and original civil jurisdiction in all actions, when the defendant shall reside within its jurisdiction; also against all insurance companies not located in Luzerne county, having an agent in Luzerne county, and against any incorporated company having an agent within its jurisdiction.

Fines, penalties,
 &c., how recovered

SECTION 2. That all fines, penalties, recognizances or other rights to money, which have arisen or may hereafter arise in said mayor's court, or upon proceedings issuing out of it, shall belong to, and may be recovered by said city, in like manner as the same matters arising in the courts of any county would belong to such county; and the said city shall not be required to pay any sum of money in lieu of county taxes.

Ministerial officer of mayor's court, relative to duties of

SECTION 3. That in all proceedings under the act of March twenty-first, one thousand seven hundred and seventy-two, relating to the sale of goods distrained for rent, to recover possession of tenements situate within the jurisdiction of said mayor's court, the ministerial officer of said court shall perform the same duties as are required by said act to be performed by sheriffs.

After certain date to be styled marshal.

SECTION 4. That after the expiration of the term of the present deputy sheriff, the ministerial officer of the said mayor's court shall be styled marshal of the city of Carbondale, and shall be elected in the same manner as the clerk and district attorney; and a person duly qualified to fill said office, shall be elected at the next charter election, who shall take upon himself the duties of the office immediately upon the expiration of the term of the incumbency of the present deputy sheriff, and shall hold the office until a successor shall be elected and qualified, which shall be once in every three years; and the said marshal shall give bail in the same amount and for the same purposes as the said deputy sheriff is now required to do, and shall have like powers and duties and the same fees.

Election of.

Private railroads and land damages, relative to.

SECTION 5. That whenever application shall be made to said court for a private railroad, under any of the acts relating thereto, within said city or townships, and the applicant therefor cannot agree with the owner of lands through which such railroad may pass, as to the terms upon which the immediate construction thereof may be commenced, it shall be lawful for said applicant to tender such landowner a bond in an adequate sum, with sufficient sureties, conditioned that the said applicant shall pay all damages such landowner may sustain in consequence of the construction of such railroad, within six months after the same shall have been ascertained in the manner now provided by law; and if said landowner cannot be found in the county of Luzerne, or will not accept such bond, the said applicant may present the same to the said court, or to the mayor or recorder in vacation for approval, giving to said landowner, if to be found as aforesaid, five days' notice thereof; and if such bond be received by said landowner, or approved by said court, or the mayor or recorder as aforesaid, and filed in said court for the use of said landowner, thereupon said applicant may enter the lands, and construct and enjoy such railroad as fully as if all the provisions

of the law relative to the view thereof, and the assessment and payment of damages thereon, were complied with.

SECTION 6. That all proceedings on the civil side of the said court may be had before the recorder alone, but on the criminal side, the mayor or one alderman shall be present as heretofore. Civil and criminal cases, relative to proceedings in.

SECTION 7. That in lieu of the fees now allowed by law, hereafter every person drawn to serve as a juror in said court, shall be paid the sum of one dollar for every day he shall be in attendance as such juror. Fees.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 536.

A FURTHER SUPPLEMENT

To the act incorporating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the powers and authority conferred on the treasurer of the county of Philadelphia by the third and fourth sections of an act, entitled "An Act vacating part of old Master street, or Master lane, in Penn township, in the county of Philadelphia, and for other purposes," passed the sixteenth day of April, one thousand eight hundred and forty-five, are hereby conferred on the receiver of taxes of the city of Philadelphia: *Provided however,* That all suits or proceedings that may be instituted, and liens filed for registered taxes, in pursuance of this act, or any act of assembly, shall be in the name of the city of Philadelphia; any act or acts hereby altered or supplied, or that are inconsistent herewith, be and the same are hereby repealed.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 537.

A N A C T

To confer on certain Associations of the citizens of this Commonwealth, the powers and immunities of corporations and bodies politic in law, and to confirm charters heretofore granted.

Preamble.

WHEREAS, The legislature of Pennsylvania, by an act passed the twenty-second day of April, one thousand eight hundred and fifty, authorized and fully empowered the court of common pleas for the city and county of Philadelphia, to grant acts or charters of incorporation, to citizens of this commonwealth desirous of forming mutual savings fund, land and building associations, and by several supplements thereto, have enlarged said authority, thereby encouraging citizens to form and invest their savings in said associations :

And whereas, The said acts and its several supplements have by various other acts of the said general assembly being extended to various other counties of this commonwealth :

And whereas, The authority thus granted has been freely exercised, and by such encouragement and by allowing members of said associations to adopt such constitutions or articles of association as to them might seem most beneficial, and by allowing parents to sign the constitutions for and on behalf of their minor children, a large and constantly increasing interest has been created, such associations affording to the indigent an opportunity to save and profitly invest their savings, thus inducing the people to form habits of economy and self-denial, by setting apart, periodically, a portion of their earnings, enabling them to purchase or build their own houses, increasing the number of small real estate owners, and thereby enriching and strengthening the commonwealth :

And whereas, Such associations are meritorious and deserving the care of the state ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at any time when ten or more persons may desire to form a mutual saving fund, loan or building association, under the provisions of this act, they shall make application to the court of common pleas of the proper county, in the manner and at such times as are prescribed by the thirteenth section of an act passed the thirteenth day of October, in the year of our Lord one thousand eight hundred and forty, entitled "An Act relating to orphans' courts, and for other purposes ;" and upon compliance with the provisions of the said section of said act, the said court shall be and hereby is fully empowered to grant acts or charters of incorporation to said associations ; and the thirteenth, fourteenth and fifteenth sections of the aforesaid act of assembly are hereby extended to and made a part of this act, with regard to said associations, corporations or bodies politic in law : *Pro-*

Courts authorized to grant charters to certain associations.

PROVIDE

vided, That no charter granted under or by virtue of the provisions of this act, be for a longer period than twenty years.

SECTION 2. That the capital stock of any corporation created by virtue of this act, shall at no time consist of more than two thousand five hundred shares, of two hundred dollars each, the instalments on which stock are to be paid at such time and place as the by-laws shall appoint; no periodical payment to be made exceeding two dollars on each share; every share of stock shall be subject to a lien for the payment of unpaid instalments and other charges incurred thereon, under the provisions of the charter and by-laws, and the by-laws may prescribe the form and manner of enforcing such lien; new shares of stock may be issued in lieu of the shares withdrawn or forfeited; the stock may be issued in one or in successive series, in such amount as the board of directors or the stockholders may determine; and any stockholder wishing to withdraw from the said corporation shall have power to do so, by giving thirty days' notice of his or her intention to withdraw, when he or she shall be entitled to receive the amount paid in by him or her, and such proportion of the profits as the by-laws may determine, less all fines and other charges: *Provided*, That at no time shall more than one-half of the funds in the treasury of the corporation be applicable to the demands of withdrawing stockholders, without the consent of the board of directors, and that no stockholder shall be entitled to withdraw, whose stock is held in pledge for security; upon the death of a stockholder, his or her legal representatives shall be entitled to receive the full amount paid in by him or her, and legal interest thereon, first deducting all charges that may be due on the stock; no fines shall be charged to a deceased member's account from and after his or her decease, unless his legal representatives of such decedent assume the future payments on the stock.

Capital stock.

Unpaid instalments.

New shares of stock.

Withdrawing from corporation, relative to.

Proviso.

SECTION 3. That the number, titles, functions and compensation of the officers of any corporation created by virtue of this act, their terms of office, the times of their elections, as well as the qualifications of electors, and the ratio and manner of voting, and the periodical meetings of the said corporation, shall be determined by the by-laws.

Titles, functions, compensation of officers, &c., to be determined by the by-laws.

SECTION 4. That the said officers shall hold stated meetings, at which the money in the treasury, if over two hundred dollars, shall be offered for loan in open meeting, and the stockholder who shall bid the highest premium for the preference or priority of loan, shall be entitled to receive a loan of two hundred dollars or more, for each share of stock held by such stockholder: *Provided*, That a stockholder may borrow such fractional part of two hundred dollars as the by-laws may provide, and good and ample security shall be given by the borrower to secure the re-payment of the loan; in case the borrower shall neglect to offer security, or shall offer security that is not approved by the board of directors by such time as the by-laws may prescribe, he or she shall be charged with one month's interest, together with any expenses incurred, and the money shall be re-sold at the next stated meeting; in case of non-payment of instalments or interest by borrowing stockholders, for the space of six months, payment of principal and interest,

Money in the treasury, how disposed of.

Proviso.

without deducting the premium paid or interest thereon, may be enforced by proceeding on their securities according to law.

Re-payment of
loans by borrow-
ers, relative to.

SECTION 5. That a borrower may re-pay a loan at any time, and in case of the re-payment thereof before the expiration of the eighth year after the organization of the corporation, there shall be refunded to such borrower one-eighth of the premium paid for every year of the said eight years then unexpired; and

Recovery of loans
by process of law,
relative to.

in case of recovery of loans by process of law, when the amount collected by or distributed to the said corporation shall exceed the amount of loan taken by the borrower, with interest and charges, the money shall be re-loaned at the next stated meeting, and the excess recovered beyond the amount required to pay the loan, with interest and charges, shall be returned to the borrower from whom the money was collected, or his or her legal representatives: *Provided*, That in case the said corpora-

Proviso.

tion shall have issued its stock in series, such re-loan shall be made only to the stockholders of the same series: *And provided*,

Proviso.

That if the premium offered for the re-loan shall be greater than that originally given by the defaulting borrower, the amount of

*

Proviso.

the original premium only shall be paid over by the said corporation: *And provided*, That such defaulting borrower may at any time after the said re-lending, demand from the said corporation the amount required to be paid to a stockholder withdrawing his stock, saving and excepting, however, to the said corporation, the right to retain so much or the whole thereof as may be requisite to save it from loss, in case the amount recovered shall not suffice to pay the re-loan.

Fines and pre-
miums, how col-
lected.

SECTION 6. That no premiums, fines or interest on such premiums that may accrue to the said corporation, according to the provisions of this act, shall be deemed usurious, and the same may be collected as debts of like amount are now by law collected in this commonwealth.

Expiration of
corporation, rela-
tive to.

SECTION 7. That no corporation or association created under this act, shall cease or expire from neglect, on the part of the corporators, to elect officers at the time mentioned in their charter or by-laws; and all officers elected by such corporation, shall hold their offices until their successors are duly elected.

Charters hereto-
fore granted by
courts under cer-
tain acts of as-
sembly, relative
to.

SECTION 8. That the charters of incorporation heretofore granted by the courts of common pleas of the several counties of the commonwealth to mutual saving fund, loan, land and building associations, under the authority of the act of twenty-second of April, one thousand eight hundred and fifty, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth,' passed the twenty-ninth day of March, one thousand eight hundred and twenty-two; to land and building associations; giving the court of Susquehanna county jurisdiction in a certain case; relative to the service of process in certain cases; to party walls in West Philadelphia; to the proof of a certain will; to the sale and purchase of certain burial grounds in Philadelphia; to the laying of gas pipes in the district of Moyamensing; to the release of certain sureties in Erie county; to the State Lunatic hospital; relative to the service of process against sheriffs; to the rights of married women; to ground rents, and relating to foreign insurance companies," and its supplements, are hereby declared to be legal and valid; and

it is hereby declared that the true intent and meaning of the said acts, was to authorize the incorporation of companies or associations with power to loan or advance to the stockholders thereof the moneys accumulated from time to time, and to secure the re-payment of such moneys, and the performance of the other conditions upon which said loans were made, by bond and mortgage or other security, as well as with power to purchase or erect houses for the benefit of their stockholders, and that the premiums taken by the said associations, for the preference or priority of such loans, should not be deemed usurious: *Provided*, That nothing herein contained shall be construed to *Proviso.* affect cases adjudicated under the said acts, or shall be applied to or construed to affect any cause or suit now brought, or that may be pending in any court in this commonwealth; nor shall any suit be permitted to be discontinued and renewed, so as to come within the provisions of this act: *And provided further*, *Proviso.* That in case of non-payment of instalments or interest, by borrowing stockholders, for six months, payment of principal and interest, without deducting the premium paid or interest thereon, may be enforced by proceeding on their securities according to law; and the amount collected shall be applied as directed by section five of this act, unless the charter or by-laws of the said corporation otherwise provides.

SECTION 9. That any savings fund, loan or building association, incorporated by or under this or any other act or acts of assembly of this commonwealth, is hereby authorized and empowered to purchase, at any sheriffs' or other judicial sale, or at any other sale, public or private, any real estate upon which such association may have or hold any mortgage, judgment, lien or other incumbrance, or ground rent, or in which said association may have an interest; and the real estate so purchased, or any other that such association may hold or be entitled to at the passage of this act, to sell, convey, lease or mortgage at pleasure, to any person or persons whatsoever; and all sales of real estate heretofore made by such associations, to any person or persons not members of the association so selling, are hereby confirmed and made valid. Real and personal estate, relative to the purchasing or holding of.

SECTION 10. That all mortgages heretofore given to mutual saving fund, loan and building associations by their corporate names, before they obtained their charters from the proper courts, be and the same are hereby declared good and valid, to all intents and purposes, as though they had been made after the said charters were obtained. Mortgages heretofore given declared good and valid.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 538.

A N A C T

To provide for the Ordinary Expenses of the Government, and other General and Special Appropriations.

Appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and fifty-nine, to be paid out of any money in the treasury not otherwise appropriated.

Salary of governor and heads of departments.

SECTION 2. For the salary of the governor of the commonwealth, four thousand dollars.

For the salary of the secretary of the commonwealth, seventeen hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the auditor general, one thousand seven hundred dollars.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the adjutant general, six hundred dollars.

For the salary of the superintendent of common schools, one thousand five hundred dollars.

For the salary of the state librarian, eight hundred dollars.

For the salary of the state treasurer, one thousand seven hundred dollars: *Provided,* That the foregoing salaries shall be paid quarterly, at the office of the state treasurer.

Clerk hire, &c., in executive and state departments.

SECTION 3. For clerk and messenger hire in the executive and state departments, six thousand dollars.

For contingent expenses in the executive and state departments, as follows: Postage and telegraphic despatches, one thousand seven hundred dollars; stationery, four hundred and fifty dollars; fuel and lights, one hundred and twenty-five dollars; cleaning offices, one hundred dollars; blank books, fifty dollars; repairs, fifty dollars; geological survey, freights and packages, one hundred and fifty dollars; new carpets in executive chamber, two hundred dollars; miscellaneous expenses, one hundred and fifty dollars.

Auditor general's office.

For clerk and messenger hire in the auditor general's office, eight thousand six hundred dollars, or so much thereof as may be necessary.

Contingent expenses.

For contingent expenses, as follows: Postage and telegraphic despatches, five hundred dollars; stationery, three hundred and fifty dollars; fuel, seventy-five dollars; miscellaneous, seventy-five dollars.

Surveyor general's office.

For clerk and message hire in the surveyor general's office, eight thousand seven hundred dollars.

For contingent expenses, as follows: Postage, four hundred dollars; stationery, two hundred dollars; fuel, seventy dollars; stove and repairs, sixty dollars; white washing and scrubbing, fifty dollars; miscellaneous, fifty dollars; and for stationery furnished in one thousand eight hundred and fifty-seven, by George Bergner, not heretofore provided for, fifty-seven dollars and eighty-six cents. Contingent expenses.

For clerk hire in the attorney general's office, eight hundred dollars; and hereafter the attorney general shall be allowed eight hundred dollars, annually, for clerk hire. Attorney general's office.

For clerk and message hire in the school department, three thousand nine hundred dollars. School department.

For contingent expenses, as follows: Stationery and blank books, three hundred and fifty dollars; postage, including telegraphic despatches, one thousand two hundred dollars; fuel, light and cleaning office, sixty dollars; packing and distributing blank forms, laws and decisions, reports, et cetera, to the several districts, six hundred dollars; miscellaneous, fifty dollars.

For clerks, messenger and night watch in the treasurer's office, including compensation of clerk to commissioners of the sinking fund, six thousand four hundred and fifty dollars. Treasurer's office

For contingent expenses, as follows: Postage and telegraphic despatches, four hundred and seventy-five dollars; express charges, one hundred dollars; stationery and blank books, two hundred and fifty dollars; fuel and light, seventy-five dollars; miscellaneous, one hundred and fifty dollars.

For miscellaneous expenses of the state library, as follows: repairing telescope, forty dollars; making fires, postage, freight, stationery, expenses of purchasing books, cleaning and white-washing library room, two hundred and fifty dollars; binding and lettering books, one hundred dollars; purchasing law books, including English and Irish reports, elementary books and civil law books, one thousand dollars; miscellaneous books, three hundred dollars; for exchanges, three hundred and twenty dollars; and assistant, one hundred dollars. Miscellaneous expenses of state library.

SECTION 4. For the payment of the expenses of the legislature, including the pay and mileage of the members, clerks and officers thereof, and the amount authorized by law for stationery, newspapers and lights, the sum of one hundred and fifty thousand dollars. Legislature.

SECTION 5. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, seven hundred dollars, or so much thereof as may be necessary. Packing and distributing laws.

SECTION 6. For the public printing, folding, stitching and binding, thirty thousand dollars, or so much thereof as may be necessary on the settlement of the account of the contractor, under his contract entered into in pursuance of the act approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act in relation to public printing." Printing.

SECTION 7. For the payment to the borough of Harrisburg, for supplying the public buildings with water, as per act of twenty-eighth day of April, Anno Domini one thousand eight hundred and forty, six hundred dollars. Water for public buildings.

- Gas for public buildings. For the payment to the Harrisburg gas company, for gas for public buildings and walks, two thousand dollars, or so much thereof as shall be found due by the auditor general, under the contract with the company, in pursuance of the charter of said company and its supplement, to be paid on the warrant of the governor.
- Miscellaneous. SECTION 8. For miscellaneous expenses, to be accounted for in the usual manner, three thousand dollars.
- Common schools. SECTION 9. For the support of the common schools, to be paid on warrants drawn by the superintendent in favor of the several school districts of the commonwealth, in proportion to the number of taxables therein, two hundred and eighty thousand dollars, inclusive of the salaries of the county superintendents, to be accounted for in the usual manner: *Provided* That the basis of distribution of the said sum shall be the number of the taxables of the several counties, respectively, as reported at the septennial enumeration to the legislature of one thousand eight hundred and fifty-seven: *And provided further*, That the city of Philadelphia shall be entitled to a proportion on the above basis without contributing to the salaries of the county superintendents.
- Proviso.
- Proviso.
- Pensions. SECTION 10. For the payment of pensions and gratuities, ten thousand dollars, or so much thereof as may be required.
- Supreme court. SECTION 11. For the payment of the salaries and per diem allowance of the judges of the supreme court, eighteen thousand seven hundred dollars.
- Judges of Philadelphia city. SECTION 12. For the payment of the salaries of the judges of the district court, and the president and associate law judges of the court of common pleas of the city of Philadelphia, sixteen thousand eight hundred dollars.
- Judges of Allegheny county. SECTION 13. For the payment of the salaries of the judges of the district court, and the president and assistant law judge of the court of common pleas of Allegheny county, ten thousand two hundred dollars.
- Judges of courts of common pleas. SECTION 14. For the payment of the salaries and mileage of the president and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and the county of Allegheny, fifty-five thousand dollars, or so much thereof as may be necessary.
- Associate judges. SECTION 15. For the payment of the salaries and mileage of the associate judges of the several courts of this commonwealth, twenty-five thousand dollars.
- Interest on state debt. SECTION 16. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August next, and the first days of January and February, one thousand eight hundred and sixty, two millions of dollars, or so much thereof as may be necessary.
- Guarantied interest. SECTION 17. For the payment of the guaranty of interest, for the Danville and Pottsville railroad company, by the act of eighth of April, one thousand eight hundred and thirty-four, and the act of twelfth of April, one thousand eight hundred and fifty-one, eight thousand five hundred and seventeen dollars and fifty cents, being the interest in full on said guaranty, up to the first day of August, Anno Domini one thousand eight hundred and fifty-nine; to the Bald Eagle and Spring Creek navi-

gation company, by the act of seventh of April, Anno Domini one thousand eight hundred and thirty-five, ten thousand dollars: *Provided*, That said companies are hereby required to make it appear satisfactorily to the attorney general that the said appropriations are due from the commonwealth; and it shall be the duty of the attorney general so to certify to the treasurer, before any of the moneys herein appropriated are paid.

SECTION 18. For the payment of the salaries of the officers of the Western penitentiary, ten thousand one hundred and fifty dollars; also, for gratuities paid to discharged convicts for the year one thousand eight hundred and fifty-eight, agreeably to the eighth section of the act of twenty-second of April, one thousand eight hundred and twenty-nine, and the several supplements thereto, three hundred and eight dollars; and for paving in front of the prison, under the compulsory paving law of Allegheny city, the further sum of three thousand one hundred and eighteen dollars; and for the purpose of removing the walls and extending the buildings, and increasing the number of cells, twelve thousand dollars.

SECTION 19. For the payment of the salaries of the officers of the Eastern penitentiary, twelve thousand eight hundred and ninety-five dollars; for the necessary repairs to the building, the sum of two thousand four hundred and twenty-three dollars; which sum for salaries of officers may be drawn from the treasury in equal quarterly portions, on or after the fifteenth day of the months of June, September and December of the present year, and March of next year.

SECTION 20. For the house of refuge of Philadelphia, the sum of twenty thousand dollars.

SECTION 21. For the house of refuge of western Pennsylvania, in the county of Allegheny, eighteen thousand and five hundred dollars, to be applied as follows: For the salaries of officers, eight thousand and five hundred dollars; additions and repairs, four thousand dollars; and for the payment of debts, six thousand dollars.

SECTION 22. For the Western Pennsylvania hospital, five thousand dollars; and for the purpose of erecting suitable buildings, the further sum of twenty thousand dollars.

SECTION 23. For the Pennsylvania State lunatic hospital, the sum of twenty thousand dollars, to be applied to the payment of salaries, the support of the house, the renewal of furniture and fixtures, and to such repairs and improvements as may be required.

SECTION 24. For the Pennsylvania institution for the instruction of the blind, twenty-two thousand dollars.

SECTION 25. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, twenty-three thousand dollars: *Provided*, That the sums appropriated for the instruction of the blind and deaf and dumb shall be paid to said institutions in proportion to the number of indigent pupils received by each from the several counties of this commonwealth, at the rates prescribed by law, evidence of the number of pupils to be furnished to the state treasurer.

SECTION 26. For the Pennsylvania training school for feeble minded children, such amount as said institution may be en-

titled to receive under the provisions of the sixth section of the act incorporating said school, approved the seventh of April, Anno Domini one thousand eight hundred and fifty-three; and for the purpose of completing the buildings now in progress, the further sum of twelve thousand five hundred dollars, upon condition that an equal amount be raised for the same purpose by private contributions, the said sum not to be paid out of the treasury until the auditor general shall be satisfied that said amount to be raised by private contribution has actually been subscribed and paid.

Northern home
for friendless
children.

SECTION 27. For the Northern home for friendless children, five thousand dollars: *Provided*, That the said Northern home for friendless children shall be subject to the provisions contained in the third section of an act, entitled "A supplement to an act to incorporate the subscribers to the articles of association, for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents, under the title of the house of refuge," approved March twenty-third, one thousand eight hundred and twenty-six.

Penn asylum for
indigent widows.

SECTION 28. For the Penn asylum for indigent widows and single women, five thousand dollars.

Orphans' home.

SECTION 29. For the Orphans' home, at Zelienople, one thousand dollars.

Superintendent
of printing.

SECTION 30. For the salary of the superintendent of the public printing, eight hundred dollars.

R. J. Haldeman,
publisher of Leg-
islative Record.

SECTION 31. To Richard J. Haldeman, publisher of the Legislative Record, compensation at the rate of seven dollars per page for the numbers published at the present session, the amount to be certified as due by the superintendent of public printing; and that the fortieth section of an act, entitled "An Act to provide for the ordinary expenses of government, and other general and special appropriations," approved twenty-first April, Anno Domini one thousand eight hundred and fifty-eight, so far as it relates to the continuance of the contract for the printing of a Legislative Record with R. J. Haldeman, be and the same is hereby repealed: *Provided*, That the repeal hereby provided for shall not take effect until at the expiration of the present session.

Fire companies.

SECTION 32. To each of the fire companies of Harrisburg, now organized and in operation, one hundred dollars.

Capitol and pub-
lic grounds.

SECTION 33. For the preservation and repairs of the capitol and improvement of the public grounds, the sum of three thousand seven hundred and thirty-one dollars, or so much thereof as may be necessary; to be expended for the following purposes: Repairs to dome and cornice of capitol building, one hundred and twenty-five dollars; painting dome and cornice of capitol, six hundred dollars; lumber, labor, et cetera, to continue the board walk to front of capitol, two hundred and twenty-five dollars; removing privies in rear of capitol, excavating and completing trench for sewers, including cast iron pipe for same, and constructing the necessary water closets in basement of capitol buildings, one thousand dollars; sewer and water closet at governor's mansion, three hundred and seventy dollars; for brick and laying pavement on North street, including gutter, sand, et cetera, six hundred dollars; to make extraordinary re-

Repairs to gover-
nor's house, &c.

pairs in and about the public buildings, keeping clean and fitting up rooms in the arsenal, to store books, documents, et cetera, eight hundred dollars: *Provided*, That all moneys expended and contracts made shall be at the direction and under the authority of the secretary of state and the auditor general. Proviso.

For the payment of the superintendent and watchman of the public buildings and grounds, two dollars and fifty cents per day, for and during the period of his appointment. Pay of superintendent and watchman.

SECTION 34. For the payment of the expenses of the committee selected to try the contested election case from the Third representative district of Philadelphia, incurred by two sessions held in said city, for the purpose of taking testimony, with the permission of the House of Representatives, seven hundred and fifty dollars, seventy-five dollars of which shall be paid to each member of said committee, and seventy-five dollars to Charles S. Peale and Elisha M'Carty, for the use of rooms at the Peletier House, for the sessions of said committee. Contested election case from the Third representative district.

SECTION 35. That the state treasurer is hereby authorized to pay John A. Smull, for services rendered the House of Representatives, the same compensation now allowed by law for an assistant clerk; and for services performed during the last recess, in arranging the papers of last session, et cetera, and for the same services to be performed during the next recess, the further sum of three hundred dollars; and to F. M. Hutchinson, the sum of one hundred dollars, for like services. John A. Smull.
F. M. Hutchinson.

SECTION 36. That the state treasurer is hereby authorized and directed to pay the amount necessary to pay William Basler, Geo. H. Lenhart, Jacob Hoffman, George Weidler, Joseph Hazard, Matthias Hutman, Edward Fought and David Felty, folders for the House of Representatives, the sum of two dollars per diem, and the further sum of ten dollars each; and to the several pages employed by the Senate and House of Representatives, the sum of one dollar per diem, each, and the further sum of ten dollars each, for services at the present session of the legislature, to be disbursed by the clerks of the respective houses. Folders for the House.
Pages.

SECTION 37. That the state treasurer is hereby authorized to pay George Manley at the rate of one dollar and fifty cents per day, for services in cleansing and keeping in order the out-building of the two houses, the actual number of days employed to be certified to by the clerk of the House. George Manley.

SECTION 38. That the state treasurer is hereby authorized and directed to pay Alvin Day nineteen dollars and twenty-five cents, being the amount of a check drawn by the state treasurer on the Bank of Pennsylvania, in May, one thousand eight hundred and fifty-seven, and dishonored by said bank; and that the state treasurer be and he is hereby authorized and required to pay J. D. Hamilton fourteen dollars, amount due him on settlement. Alvin Day.
J. D. Hamilton.

SECTION 39. For transcribing for committee of ways and means, to be paid on the order of the chairman, twenty dollars. Transcribing for committee of ways and means.

SECTION 40. For postage and stationery used in the office of the late attorney general, sixty-seven dollars and fifty-nine cents. Late attorney general, for postage, &c.

SECTION 41. That the state treasurer is hereby authorized to pay the chief clerks of the Senate and House of Representatives, Indexing journals.

- for the expense of indexing journals, one hundred and twenty-five dollars each ; and also, the sum of one hundred and twenty-five dollars to William H. Miller, clerk of the Senate, and to Jacob Ziegler, the late clerk of the House of Representatives, each, for indexing the journals for the year one thousand eight hundred and fifty-eight.
- William H. Miller.**
Jacob Ziegler.
Tonnage agents. SECTION 42. For the payment of salaries of tonnage agents in full to June first, one thousand eight hundred and fifty-nine, twelve hundred dollars.
- Regular officers of Senate and House, additional compensation to.**
Proviso. SECTION 43. That the state treasurer is hereby authorized to pay each of the officers of the Senate and House of Representatives, except the speakers, one hundred dollars additional compensation for services rendered during the present session: *Provided*, That such of said officers as shall be required, in conjunction with the chief clerks of the respective houses, to remain after the close of the present session, shall, upon the presentation of a certificate from the clerk of the proper house, stating the number of days served by such officer, be entitled to receive from the state treasurer the same per diem allowance as they are now entitled to by existing laws: *Provided*, That the said clerks shall not retain more than two officers each, and not for a greater period than fifteen days.
- Officers and privates of the first and second regiments Pennsylvania volunteers** SECTION 44. For the payment of the officers and privates of the first and second regiments of Pennsylvania volunteers, who served in the late war with Mexico, under the provisions of an act to provide for the payment of the first and second regiments of Pennsylvania volunteers, who served in the late war with Mexico, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one, the sum of two hundred dollars.
- William P. Brady** SECTION 45. To William P. Brady, the sum of one hundred dollars, for filing the Legislative Record, and for services after the expiration of the session ; and the pay of said Brady, as an officer of the Senate, shall be the same as that of a transcribing clerk, which shall be duly allowed, settled and paid.
- Gavit's electrotype envelops and stamp.** SECTION 46. That there is hereby appropriated one hundred and fifty dollars, to be expended by the clerk of the Senate, in the purchase of fifteen thousand of Gavit's electrotype envelops and the stamp, for the use of the Senate ; and one hundred and fifty dollars, to be expended by clerk of the House of Representatives, for similar envelops and stamp for the use of House.
- Transcribing for railroad committee.** SECTION 47. For transcribing for railroad committee in Senate, to be paid on the order of the chairman, twenty-five dollars.
- David S. Spear.** SECTION 48. That the state treasurer is hereby authorized to pay to David S. Spear, the same compensation hereby allowed to the assistant messenger of the Senate.
- William S. Pickering.** SECTION 49. That the state treasurer is hereby authorized to pay W. S. Pickering, the salary of an assistant clerk.
- Compensation of clerks appointed by the act of 7th May, 1855.** SECTION 50. That the clerks appointed according to the seventeenth section of the act, approved May seventh, one thousand eight hundred and fifty-five, shall be allowed the same rate of mileage as other officers of the legislature, and at the same rate of compensation as is now allowed to the transcribing clerks by said act, in proportion to the time they shall serve as such.

SECTION 51. For the payment of the balance due Jacob Ziegler, late clerk of the House of Representatives, twelve hundred and two dollars and thirty-six cents, as ascertained by the auditor general on settlement. Jacob Ziegler.

SECTION 52. That the state treasurer is hereby authorized to pay to each of the woman regularly employed in the service of the two houses during the present session of the legislature, the sum of ten dollars extra for services rendered. Wash-women.

SECTION 53. That the auditor general shall not allow any account presented for settlement by any of the officers of the several institutions named herein, and to which appropriations have been made, unless the same shall be attested by the oath or affirmation of the superintendent, or other principal officer, that the same is correct, and was expended for the items set out in the bill, and that the same was contracted for on the most favorable terms. Auditor general, relative to settlement of certain accounts.

SECTION 54. That a sum not exceeding one dollar for each board of directors and controllers in the state, be and the same is hereby appropriated to enable the superintendent of common schools to carry out the requirements of the ninth section of the supplement to the general school law, approved the eighth day of May, one thousand eight hundred and fifty-five. Directors or controllers of public schools.

SECTION 55. For the pay of Charles Weitzel, for attending fires, carrying wood, attending the Senate chamber at night, and other miscellaneous service, one hundred dollars. Charles Weitzel.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 539.

A N A C T

To authorize the appointment of an additional Notary Public in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and is hereby authorized and empowered to appoint an additional notary public for this commonwealth, to*

LAWS OF PENNSYLVANIA,

reside in the city of Erie, who shall be able to speak and write the German language.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 540.

A N A C T

For the relief of the sureties of William Wilson, Junior, late Collector of Tolls at Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever the sureties of William Wilson, Junior, late collector of tolls at Northumberland, shall pay to the state treasurer the full amount of his original defalcation, they shall be discharged from all liability for interest due thereon.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 541.

A N A C T

Authorizing the State Treasurer to pay to the Towanda Bridge Company a balance remaining in the Treasury due them in pursuance of a contract made with the Board of Canal Commissioners, July twelfth, one thousand eight hundred and fifty-six.

WHEREAS, By the thirty-sixth section of an act to provide for the ordinary expenses of government, &c., approved the thirteenth day of May, Anno Domini one thousand eight hundred

and fifty-six, the sum of eighty-seven thousand dollars was appropriated to the Upper North Branch canal, upon the estimate of William R. Maffit, superintendent of that line of canal; included in which estimate was the sum of three thousand dollars to the Towanda bridge company:

And whereas, By the fifty-sixth section of the same act, the further sum of seven thousand five hundred dollars was appropriated to the Towanda bridge company, both of which was for the purpose of repairing said bridge and building a towing path attached thereto, for the use of the commonwealth:

And whereas, The board of canal commissioners did, on the twelfth day of July, Anno Domini one thousand eight hundred and fifty-six, in pursuance of the provisions of the act of assembly above mentioned, enter into a contract with the Towanda bridge company, for the repairing of their bridge, with towing path attached, for the use of the commonwealth, for which said bridge company were to be paid the sum of nine thousand dollars out of the money appropriated as aforesaid:

And whereas, There is a balance of fifteen hundred dollars remaining due and unpaid upon said contract; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay over to the Towanda bridge company the sum of fifteen hundred dollars, being a balance due them in pursuance of a contract with the board of canal commissioners, made the twelfth day of July, Anno Domini one thousand eight hundred and fifty-six; said sum to be paid out of the balance remaining in the treasury, by order of the board of canal commissioners, for that purpose, out of the appropriations made by sections thirty-six and fifty-six of the act to provide for the ordinary expenses of government, &c., approved May thirteenth, one thousand eight hundred and fifty-six, whenever the attorney general shall file in the office of the state treasurer his opinion, that the purchasers of the North Branch canal are not liable for the payment thereof, under the act authorizing the sale of said canal, approved the twenty-first day of April, one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 542.

AN ACT

Declaring the Portage Branch of the Sinnemahoning creek, in the counties of M'Kean and Potter, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Portage Branch of the Sinnemahoning creek, from its mouth in Shippen township, M'Kean county, up to Cowley's Branch, in Portage township, in the county of Potter, is hereby declared to be a public highway.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM F. PACKER.

No. 543.

SUPPLEMENT

To an act to incorporate the Second and Third Street Passenger Railway Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Second and Third Street Passenger railway company of Philadelphia, shall be increased to ten thousand shares of fifty dollars each, to be issued in such manner as the board of directors shall deem best for the interests of the company: Provided, The stockholders shall accept this amendment to their charter within thirty days' after the approval thereof.*

Capital stock
may be increased

Proviso.

Required to ex-
tend road.

SECTION 2. That the company shall be required within sixty days from the passage of this act, to extend their road from the Reading railroad to Allegheny avenue; and shall also extend said road from Allegheny avenue, along Richmond street and Point road, to within two hundred feet of the bridge over Frankford creek in Bridge street, in Bridesburg, in the Twenty-third

ward, with a single track, within nine months after the passage of this act.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 544.

AN ACT

To amend the Fee Bill of the Orphans' Court of the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the fees now allowed by law, that from and after the passage of this act the fees to be charged and received by the clerk of the orphans' court in and for the county of Allegheny, for services done and performed by him, shall be as follows:— For recording each petition, prayer, report, return, recognizance, order of sale, or approval or confirmation by the court, or any other paper not hereinafter specified, for the first one hundred words or figures or less, forty cents, and on the excess over the first one hundred words and figures, for every ten words or figures, one cent.

For filing and recording each draft or plot for each division or purport, twenty-five cents.

For filing each paper not requisite to be recorded, ten cents.

For writing and attesting receipts, or either, each twenty-five cents.

For issuing each subpoena, notice or rule, with seal, for the first one hundred words or figures or less, twenty-five cents, and for the excess over the first one hundred words or figures, for every ten words and figures, one cent.

For issuing each order of sale, or any duplicate order of sale, with or without petition and prayer, either, for the first one hundred words and figures or less, fifty-cents, and on the excess over the first one hundred words and figures, for every ten words and figures, one cent.

For issuing each writ of partition, citation, attachment, sequestration, *feri facias* and *venditioni exponas*, for the first one hundred words and figures or less, seventy-five cents, and on the excess over the first one hundred words and figures, for every ten words and figures, one cent.

LAWS OF PENNSYLVANIA,

For issuing copy of draft or plot for each division or purpart, twenty-five cents.

For issuing copy of record or paper filed, or any part thereof, excepting drafts or plots, for the first one hundred words and figures thereof or less, twenty-five cents, and on the excess over the first one hundred words and figures, for every ten words and figures, one cent.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 545.

A N A C T

To authorize the Payment of the Claim of S. Miles Green, of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby directed to pay to S. Miles Green, or his order, the sum of five hundred and ten dollars, the amount due him for lumber received by the commonwealth for repairs on the Upper division of the Juniata canal, in one thousand eight hundred and fifty-four, and one thousand eight hundred and fifty-five, this amount to be in full for all claims said S. Miles Green has against the commonwealth for lumber.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 546.

A N A C T

Relating to the Settlements of Registers of Wills, Recorders of Deeds, Prothonotaries and Clerks of Courts, with the State Treasurer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several registers of wills, recorders of deeds, prothonotaries, clerks of quarter sessions and clerks of orphans' courts in the commonwealth, shall on the first day of June next, and quarterly thereafter, or oftener if required by the state treasurer, pay into the treasury or such places of deposit as said treasurer shall designate, to the credit of the commonwealth, the whole amount of money due the commonwealth, received during the period preceding said payments, and shall furnish to the state treasurer statements under proper heads, designating the source from which the money was received: *Provided,* That the quarterly payments of said officers falling due previous to the first day of June next, shall be made as heretofore required by law. Duty of certain county officers in making payment into state treasury.

SECTION 2. That and so much of the seventy-ninth section of the act of assembly, approved the eighteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, as is inconsistent herewith, is hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 547.

A N A C T

Allowing the Treasurer of Beaver county a credit for certain balances of Militia Fines collected and by him paid *bona fide* to the Uniformed Militia, for duty done according to law.

WHEREAS, Certain small balances of militia fines of the years one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, were collected by William Henry, the

treasurer of the county of Beaver, for the year one thousand eight hundred and fifty-eight, and paid *bona fide* by him to the uniformed militia of said county, as part payment for military duty performed according to law, amounting to fifty-one dollars and seventy-four cents; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and is hereby authorized and required to allow William Henry, treasurer of the county of Beaver, for the year one thousand eight hundred and fifty-eight, a credit of fifty-one dollars and seventy-four cents, for the money so as aforesaid paid, in the settlement of his account for the year one thousand eight hundred and fifty-eight: *Provided,* That the auditor general shall be satisfied, on examination, that the said credit is justly due the said William Henry.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 548.

A SUPPLEMENT

To the act incorporating the Mutual Fire Insurance Company of Sinking Springs, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the just demands against the said company shall exceed the amount of available funds on hand, the managers shall be authorized and required to levy an assessment of not less than one dollar upon each thousand insured, equally on all the members, in proportion to the amount they have insured: *Provided,* That hereafter the said company shall not insure any property outside the limits of Berks county.

Proviso

Meeting and
election of offi-
cers.

SECTION 2. That the general meetings of said company, and the election for officers thereof, shall hereafter be held at some suitable and convenient place in the county of Berks, to be agreed upon by the board of managers, and that no person shall be competent to serve as a manager longer than three out of six years in succession.

SECTION 3. That the board of managers shall be required to publish regular semi-annual statements of the affairs of the treasury, showing receipts, expenditures and damages by fire, in separate items, and the balance of available funds on hand on the first of January and July of the year respectively. Semi-annual statements to be published.

SECTION 4. That all parts of the act to which this is a supplement, which are inconsistent with the provisions of this act, are hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 549.

A N A C T

To incorporate the Valley Forge Military Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and is hereby established in Upper Merion township, Montgomery county, an academy for the civil and military education of youth, upon the plan of the national institution at West Point, under the name, style and title of Valley Forge Military academy; the said academy to be under the direction of a board of trustees, not exceeding seven in number, four of whom shall be a quorum for the transaction of business; which said trustees, and their successors, shall be and they are hereby erected, established and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the trustees of the Valley Forge Military academy; by which name, style and title, the said trustees and successors, shall be able at law and in equity to take, for themselves and their successors, for the use of said military academy, any estate, messuages, lands, tenements, hereditaments, goods, chattels, moneys, or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, of any person or persons whatsoever, and the same messuages, lands, tenements, hereditaments, goods, chattels, moneys and estates, real or personal, to grant, bargain, sell, convey, assure, demise, and to farm, let, or otherwise dispose of, or

Military academy established.

Trustees.

Quorum.

Powers and privileges.

invest in such manner as to them, or a quorum of them, shall seem most beneficial to the institution, and to receive the rents, issues, profits and income, and interest of the same, for the use of said academy; and by the same name to sue, prosecute and defend, implead and be impleaded in any courts of law or equity, and in all manner of suits and actions whatsoever; and generally by and in the same name to do and transact all and every the business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and as effectually as any natural person has power to manage his own concerns.

Capital stock. SECTION 2. That the capital stock of said military academy shall be one hundred thousand dollars, with the right to increase the same to two hundred thousand dollars, to be divided into shares of fifty dollars each.

Seal. SECTION 3. The said trustees shall cause to be made for their use a common seal, with such inscriptions and devices thereon as they shall think proper, by and with which seal all deeds, certificates and acts of said corporation shall be authenticated, and the same seal the said trustees may, at their pleasure, break and alter, and also, if they think proper, devise a new one.

First trustees. SECTION 4. That Montroville W. Dickeson, M. D., Charles L. Rowand, Jacob S. Yost, Charles Mayer, Lewis S. Wells, Horn R. Kneass, are appointed trustees of said corporation, which said trustees or any four of them, shall constitute a quorum for the transaction of business, and shall have power to fill any vacancies that may occur in their body, until the first Monday in June, one thousand eight hundred and fifty-nine, at the expiration of which time seven trustees shall be elected by ballot, on the first Monday in June next, and on the same day, annually thereafter, at the academy in Upper Merion township, Montgomery county, by the stockholders of said institution, and each stockholder shall be entitled to one vote for each share of capital stock which he or she may hold at the time of said election.

Quorum.

Election for trustees, when and where held.

Votes.

Powers and duties. SECTION 5. The said trustees shall have the power of making and enacting ordinances for the government of said academy; of electing and appointing a superintendent and teachers of said academy, agreeing with them for their salaries or stipends, and of removing them for misconduct, breaches of the ordinances of the academy, or other causes which shall be deemed sufficient; of appointing a committee of their own body to carry into execution all and every of the resolutions of the board; appointing all such officers as they may find necessary for managing the corporation; of providing for the punishment of all violations of the rules, regulations or ordinances of the academy, and generally, at any annual adjournment or extra meeting, shall determine all matters and things which may occasionally arise, or be necessary to be determined by said trustees: *Provided*, That no ordinances or regulations shall be of any force, which are repugnant to the constitution or laws of the United States or of this commonwealth.

Proviso.

Governor to be ex-officio commander-in-chief of academy, appoint board of visitors, &c. SECTION 6. That the governor of the commonwealth of Pennsylvania shall be ex-officio commander-in-chief of said academy, and that he shall annually appoint a board of visitors of not less than seven citizens of this state, the time to be fixed

by the principal of the academy, by consultation with the board of trustees, who shall examine such institution in manner and form as is observed at the National academy at West Point, and report thereon to the governor, who shall cause the same to be published and laid before the legislature at its session next succeeding.

SECTION 7. Upon the passage of this act into a law, the trustees of the academy, and their successors, are authorized to open books for subscription to the stock of the same, at such places and at such times as they may deem proper or convenient. When books to be opened.

SECTION 8. The legislature reserves the right to revoke, alter or amend the charter hereby granted, at any time they may think proper: *Provided*, No injustice be done to the corporators. Reservation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 550.

A N A C T

To authorize the Managers of the Indiana and Ebensburg Turnpike to collect tolls for certain purposes.

WHEREAS, The Indiana and Ebensburg turnpike has gone out of repair, and it is doubtful whether the managers thereof can lawfully enforce the collection of tolls thereon:

And whereas, The said managers have lately incurred a debt for repairs done to the bridge over Two Lick creek, on said turnpike, and are without means to pay the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the managers of the Indiana and Ebensburg turnpike be and they are hereby authorized to levy and collect tolls at the toll gate near Indiana, known as Bell's toll gate, for the purpose of paying the debt incurred in the repair of the bridge over Two Lick creek: *Provided*, That said tolls shall not exceed the rates heretofore established at said gate, nor shall said tolls be col-

LAWS OF PENNSYLVANIA,

lected for a longer period than two years, under the authority granted by this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 551.

AN ACT

Relative to certain School Accounts of Porter Township School District, in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the school directors and auditors of the township of Porter, in the county of Jefferson, to re-open and re-settle the accounts for the school years ending the first of June, one thousand eight hundred and fifty-five, fifty-six, fifty-seven and fifty-eight, and for that purpose are hereby authorized and required to notify the collectors and treasurer to produce the several assessments and other papers connected with said settlements, on a certain day therein named, not less than twenty days after the day such notice is served on them; and such re-settlement shall have the same force and effect, and be as binding upon the said collectors and treasurers and their sureties, as if said settlements had been made at the time provided by law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 552.

A SUPPLEMENT

To an act incorporating the Quarryville and Unicorn Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That the managers of the Quarryville and Unicorn turnpike road company, incorporated by an act of assembly approved the fifth day of March, Anno Domini one thousand eight hundred and fifty-eight, shall have power to commence the construction of their road as soon as eight thousand dollars of the capital stock of said company shall have been subscribed; and so much of the third section of said act as is inconsistent herewith is hereby repealed. When road to be commenced.

SECTION 2. 'That whenever said company shall have finished so much of their road as lies between Quarryville and Spring Grove, the same being less than five miles in length, they shall have power to erect toll gates and collect tolls thereon, as provided in the thirteenth section of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and receive a license, the same as provided in the twelfth section of said act for five finished miles. When gates to be erected and toll taken.

SECTION 3. That so much of the fourth section of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed. Subject to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 553.

AN ACT

To equalize Taxation in the borough of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That

from and after the passage of this act the corporate authorities of the borough of Washington shall have full power and authority to levy and collect annually, for borough purposes, a tax upon all property, subjects and things now by law made taxable for school purposes: *Provided*, That the rate of taxation shall remain the same as now fixed by law for borough purposes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 554.

AN ACT

Relative to the Claim of James Condron.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, state treasurer and attorney general be and they are hereby authorized to examine the claim of James Condron, for damages occasioned by the sinking of his boat in the Pennsylvania canal, on the third day of April, Anno Domini one thousand eight hundred and fifty-seven, and report to the legislature a statement of the facts, together with the amount of damages, if any may be due to and sustained by James Condron.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 555.

A N A C T

For the relief of R. J. Fleming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be and he is hereby authorized to re-examine the account of R. J. Fleming against the commonwealth, for certain work done for said commonwealth, and to draw his warrant on the state treasurer for such sum as he shall find justly due him; said amount not to exceed the sum of seventy-nine dollars.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 556.

A S U P P L E M E N T

To an act authorizing the Commissioners of Clarion county to erect a new Court House, and approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Clarion are hereby authorized to borrow, on the credit of said county, such amount of money, not exceeding fifteen thousand dollars, as they shall deem necessary for the erection of a court house and public offices in lieu of those lately destroyed by fire.*

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 557.

A FURTHER SUPPLEMENT

To an act to incorporate the Bedford Mineral Spring Association, approved March seventeenth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the annual election of president and directors of the Bedford Mineral Springs company, shall hereafter be held on the Thursday after the second Tuesday of October in every year.

Annual election,
when to be held.

Election of offi-
cers.

SECTION 2. That on the first Monday in July, one thousand eight hundred and fifty-nine, a president and directors of said company shall be chosen, to continue in office until the Thursday after the second Tuesday of October, one thousand eight hundred and fifty-nine, or until their successors shall be duly elected.

Authorized to
subscribe to the
stock of Bedford
railroad.

SECTION 3. That the Bedford Mineral Springs company are hereby authorized to subscribe to the capital stock of the Bedford railroad company, to any amount not exceeding fifty thousand dollars.

Repeal.

SECTION 4. That so much of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 558.

AN ACT

To allow the Government of the United States to hold certain Real Estate in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the consent of the commonwealth of Pennsylvania is hereby given to the purchase, by the United States of America, from the owners thereof, of all those two contiguous lots or pieces of ground, and the buildings thereon erected, with the appurtenances, situate on the south side of Chesnut street, in the city of Philadelphia, adjoining the custom house on the west, containing together in front on said Chesnut street, fifty-seven feet ten inches, and extending in length or depth to Library street, about two hundred and twenty-five feet, for the purpose of a post office and court rooms: *Provided*, That all process, civil and criminal, of the commonwealth shall extend into and be as effectual in and over said premises as if this act had not been passed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 559.

A N A C T

Authorizing the State Treasurer to pay Nathaniel White for damages sustained by him from the Commonwealth.

WHEREAS, Nathaniel White has sustained damage in consequence of the neglect of the commonwealth to re-build a bridge over the Pennsylvania canal near Shock's mills, Lancaster county, on the Vinegar Ferry road, regularly laid out from the town of York to Lancaster city, which the commonwealth was in duty bound to keep in order, so that the traveling community could pass and re-pass the same at all times :

And whereas, That Nathaniel White owns a ferry which conveyed persons, teams and cattle from said bridge across the river, until it intersected the road leading to Lancaster city :

And whereas, That in consequence of said bridge being left impassible for more than one year, the said Nathaniel White was thereby deprived of his regular employment and occupation as a ferryman, in ferrying persons, teams and cattle, and has sustained damage to the amount of three hundred dollars, in consequence of the neglect of the commonwealth to repair said bridge ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized to pay the said Nathaniel White the sum of three hundred dollars, out of moneys not otherwise appropriated: Provided, That before the payment of said claim, the auditor general, state treasurer and attorney general, or a majority of them, shall examine the said claim, and if the same shall be found to be correct, the state treasurer shall pay the same out of any moneys not otherwise appropriated.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 560.

AN ACT

Changing the place of holding elections in West Manheim township, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified electors of West Manheim township, in the county of York, shall hold their general and township elections at the house of Samuel Barnhard, in said township.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 561.

A N A C T

To repeal an act for the better Preservation of Game and Insectiverous Birds, so far as the same relates to the counties of Fayette, Westmoreland and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act passed the twenty-first day of April, A. D. one thousand eight hundred and fifty-eight, as prevents the killing, destroying or carrying away of rabbits, be and the same is hereby repealed, so far as the same relates to the counties of Fayette, Westmoreland and Greene.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 562.

A S U P P L E M E N T

To the act incorporating the Saucona Iron Company, approved the eighth day of April, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Saucona iron company shall be named, instead thereof, the Bethlehem rolling mills and iron company, with all the powers, privileges and authorities they had under their former name. Name changed.

SECTION 2. That instead of the publication required by the second section of the said act to which this is a supplement, it shall be deemed sufficient if publication be made in any one paper published in the county where the said works may be located. Notice of election of directors, relative to publication of.

SECTION 3. That the capital stock of the said company shall be one hundred thousand dollars, with the privilege of increas- Capital stock.

ing the same as in the said act to which this is a supplement is provided ; and that the said act shall take effect whenever thirty thousand dollars shall be subscribed and twenty-five per centum thereof paid in, of which notice shall be given to the governor, on oath or affirmation, as in and by the said act is provided.

Powers and au-
thorities, con-
struction of.

SECTION 4. That the powers and authorities granted the said the Bethlehem rolling mills and iron company shall be so construed as to permit the said company to make iron from the crude material, and then, at their option, to manufacture it into any other shape, state or condition, or that they may so limit their operations as to manufacture into any shape, state or condition iron which may have been made or manufactured at other furnaces or iron works.

Votes.

SECTION 5. That instead of the words, "vote according to the number of shares held, in the following ratio, to wit: For each share not exceeding two shares, one vote; for every two shares above two and not exceeding fifty shares, one vote; for every four shares above fifty and not exceeding one hundred shares, one vote; and for every six shares above one hundred, one vote," one vote for each share held, but no share shall confer, et cetera.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 563.

AN ACT

To authorize the State Treasurer to pay S. C. Williamson for loss sustained in consequence of a collision on the Columbia and Philadelphia Railroad.

WHEREAS, On the sixteenth day of December, one thousand eight hundred and fifty-six, S. C. Williamson, forwarding merchant of Caln, Chester county, had three of his cars badly broken, in consequence of a locomotive and train running into them while in motion, between Eagle station and Morgan's Corner :

And whereas, From testimony produced and laid before the canal commissioners, it was clearly proven that the said S. C. Williamson, or his agent, were not at fault in causing said accident, but was solely occasioned by the agents of the commonwealth :

And whereas, It is also proven by evidence taken in commonwealth depositions, that the said S. C. Williamson has sustained a loss by damage to cars broken on that occasion, amounting to four hundred and sixteen dollars and thirty-eight cents; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay to S. C. Williamson, forwarding merchant of Caln, Chester county, four hundred and sixteen dollars and thirty-eight cents, being the amount of damages sustained by him in consequence of a collision on the Columbia and Philadelphia railroad, on the sixteenth day of December, A. D. one thousand eight hundred and fifty-six.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 564.

AN ACT

Authorizing the Payment of the Claim of Andrew Wise, of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized and required to pay to Andrew Wise, of Huntingdon county, the sum of one hundred and sixty dollars and ninety-five cents, being the amount reported by the canal commissioners to be due him for timber and plank furnished for the use of the commonwealth, on the Upper Juniata division of the Pennsylvania canal, in November, one thousand eight hundred and fifty-four.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 565.

A FURTHER SUPPLEMENT

To the act to incorporate the Trenton City Bridge Company.

- Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Kirkbride, Mahlon Kirkbride, James H. Farrand, Jehu Hendrickson, David Taylor, Elisha Reeves and Mahlon Moon, of the state of Pennsylvania, and Thomas J. Stryker, John L. Taylor, William A. West, Thomas P. Johnston, Barker Gummere, Gregory A. Perdicaris and Jonathan Steward, of the state of New Jersey, be and they are hereby appointed commissioners to receive subscriptions to the capital stock of the Trenton City bridge company, instead and in place of the commissioners heretofore appointed for that purpose by the legislatures of the states of Pennsylvania and New Jersey respectively; and they are hereby invested with all the rights, powers and privileges, and made subject to all the obligations, duties and responsibilities granted and imposed by the act incorporating the said company, to and upon the commissioners therein named.
- To receive subscriptions to capital stock.
- Powers and privileges.
- Repeal. SECTION 2. That so much of the act to incorporate the Trenton City bridge company, or of any former act relative thereto, as is inconsistent with the provisions of this act, be and the same is hereby repealed.
- When to go into effect. SECTION 3. That this act shall not go into effect until a like supplement shall be passed by the legislature of New Jersey.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 566.

A SUPPLEMENT

To an act, entitled "An Act to Divide the borough of Johnstown into Wards," approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the legal place of holding the elections for the Second ward, in the borough of Johnstown, shall be at the Foster house, in said ward.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 567.

A FURTHER SUPPLEMENT

To an act to incorporate the town of Ashland, partly in Schuylkill and partly in Columbia counties, into a borough, approved the thirteenth day of February, A. D. one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter it shall be lawful for the borough electors of the borough of Ashland, situate partly in Schuylkill and partly in Columbia county, at the time and in the manner provided in the charter, annually to elect nine citizens to be a town council. Number of members of council to be elected annually.

SECTION 2. That hereafter the borough of Ashland shall have powers, and is hereby authorized to levy and collect, annually, for borough purposes, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes as now is or may be provided by law; all property, offices, professions and persons made taxable by the laws of this commonwealth for county rates and levies, shall be taxable after the same manner for borough purposes. Borough tax, relative to the levying and collection of.

Repeal.

SECTION 3. That any provision of the present charter of the said borough of Ashland, hereby altered or supplied, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 568.

AN ACT

Relative to Weighing Coal in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the standard weight of bituminous coal, in the city of Allegheny, be and is hereby declared to be seventy-six pounds avoirdupois to the bushel of merchantable coal.

Standard weight
of coal to the
bushel.

Councils to pass
ordinances rela-
tive to scales for
ascertaining the
weight of coal.

Penalties.

Repeal.

SECTION 2. The select and common councils of the city of Allegheny are hereby authorized and empowered to pass ordinances to establish scales, or some other method to ascertain the weight of coal sold within the limits of said city, and to regulate and compel persons to use said scales, or other mode of weighing coal, and may impose such penalties and forfeitures as they may think proper, (not exceeding one hundred dollars for any offence,) for violating the provisions of said ordinances.

SECTION 3. All laws inconsistent herewith are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 569.

AN ACT

Authorizing a State Road from Dushore, Sullivan county, to the North Branch of Susquehanna river, at or near Welles's Ferry, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John R. Welles, of Bradford county, and Henry Metcalf and Wm. A. Mason, of Sullivan county, be and are hereby appointed commissioners to view, lay out and mark a State road, beginning at the village of Dushore, in the county of Sullivan; thence by Marsh run to a point at or near Welles's ferry, on the North Branch of Susquehanna river, in Bradford county.

Commissioners.

Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, that they shall clearly and distinctly mark the road, in such a manner as shall render the route agreed upon readily found by the supervisors; and for fulfilling the duties enjoined by this act, the commissioners shall be allowed two dollars per day each for every day they shall be necessarily employed in performing the duties assigned by this act; and said commissioners are hereby authorized to employ two chain bearers and two axemen, at a sum not exceeding one dollar and twenty-five cents per day each.

Duty of commissioners.

Pay.

SECTION 3. That said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon the courses and distances, and the places, waters, county and township lines, with such other matters as may serve for explanation, and fix the width of said road at not less than fifty feet, one copy whereof shall be deposited in the office of the clerks of quarter sessions of the respective counties through which the road may pass, on or before the first day of September, one thousand eight hundred fifty-nine, or as much sooner as practicable; and from thenceforth said road shall be a public highway, and shall be opened and repaired as other roads laid out by the courts are made and repaired.

Drafts.

Where deposited

SECTION 4. That said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them shall agree upon, at Dushore, in Sullivan county, and complete the location of said road as soon as practicable; and if any vacancy shall occur by resignation or otherwise, it shall be filled by the other commissioners.

Meeting of commissioners to complete location.

Vacancies, how filled.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which said road may pass, upon no-

tice given, to proceed at once and open and make said road as other roads are made ; and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine not less than ten dollars, to be collected, in the name of the commonwealth, before a justice of the peace, as other fines are collected ; and said fine shall be appropriated to the use of said road.

Vacating roads rendered useless, relative to.

SECTION 6. That said commissioners shall have power to vacate any road, or part thereof, as may be rendered useless by this act.

Expenses, how paid.

SECTION 7. That the commissioners shall draw on the commissioners of the county through which the said road may pass for their own pay and those employed by them under this act, who shall pay them out of the treasuries of the respective counties, according to the time actually required in locating and making said drafts of the said road within the said respective counties.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 570.

AN ACT

To provide for the Erection of a House for the Employment and Support of the Poor in the county of Greene.

Commissioners.

Their duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* B. Whitlock, of Franklin township, Jacob Loar, of Richhill township, and William Davis, of Jefferson township, Alfred Meyers and Jesse Hook, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of January, one thousand eight hundred and sixty-one, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor in Greene county ; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor in the name and for the use of the corporation mentioned in the third section of this act ; and they shall certify their proceedings therein under their hands and seals, to the clerk of quarter sessions of the county of Greene, to be filed in his office ; and at the next

general election the qualified electors of Greene county, shall elect three reputable citizens of said county to be directors of the poor and of the house of employment for the county of Greene for the ensuing year; and the judges of the elections of said county shall immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify under their hands and seals, the names of persons so elected directors to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected; and the said directors shall meet at the court house in said county on the first Monday of November next ensuing their election; and divide themselves by lot into three classes, the place of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year; of the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually.

Election of directors.

Meeting.

SECTION 2. Every director elected in manner aforesaid, or appointed as is directed by the eleventh section of this act, shall within ten days after he is notified of such election or appointment, and before he enters upon the duties of said office, take an oath or affirmation, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor of said county truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors for the time being, as debts are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer an oath or affirmation in any case where it shall be necessary, in relation to the duties of their office.

Directors to be sworn.

SECTION 3. The directors shall forever hereafter, in name and in fact, be one body politic and corporate, in law, to all intents and purposes whatsoever, relative to the poor of the county of Greene, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of "The directors of the poor and of the house of employment for the county of Greene," and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons, whatsoever; to purchase and hold any lands and tenements within their county, in fee simple, or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond with full and sufficient security for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office, of all moneys, bonds, notes, books, accounts and other

Privileges.

Style.

Powers.

Treasurer.

papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and said directors shall have power to employ and at pleasure remove a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and other attendants that may be necessary for the said poor, respectively; to bind out apprentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years; if females, at or before the age of eighteen years, such poor children as shall come under their notice, or as may not be bound apprentices by the overseers of the poor: *Provided*, That no child shall be bound at a greater distance than thirty miles from the poor house; and the said directors shall exercise and enjoy all such other powers not now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter or renew.

Steward.
Physician.
Apprentices.
Proviso.

Cost of buildings, &c. SECTION 4. The said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and building, or erecting the necessary building or buildings, and furnishing the same, and maintaining the poor within the said county for one year; whereupon the county commissioners of the said county shall, and they are hereby authorized and required to increase the county tax by one-fourth part of the sum necessary for the purpose aforesaid, and shall procure on loan, on the credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor, by the county commissioners, as the same may be found necessary.

Tax or loan to pay same.
Proviso.
Annual expenses SECTION 5. It shall be the duty of the said directors on or before the first day of November in each and every year, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess and cause to be collected the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at least once in every year, render an account of all moneys by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall at least once in every year, lay before the court of quarter sessions and grand jury of said county, a list of the number, ages and sex of the persons maintained and employed in the house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeship as aforesaid, with the names of their masters or

Accounts.
Reports.

mistresses, and their trade, occupation or calling ; and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests and moneys payable and receivable by the said corporation ; and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them.

SECTION 6. As soon as the said buildings shall have been erected or purchased, and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Greene, requiring them forthwith to bring the poor of their respective townships to said house of employment; which order the overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases when, by sickness or any other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said paupers, and deliver him or her to the steward or keeper of the said house of employment, together with the said order ; and the charge and expense of such temporary relief, and of such removal, shall be paid by the said directors at a reasonable allowance.

SECTION 7. The said directors shall from time to time receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in said county of Greene, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Greene, or to the overseers of the proper township in any other county of this commonwealth ; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere : *Provided*, The expense of their maintenance does not, in any case, exceed that for which they could be maintained at the poor house of the said county of Greene.

SECTION 8. The said directors, or any two of them who shall be a quorum in all cases to do business, shall have full power to make and ordain such ordinances, rules and regulations as they shall think proper, convenient and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revennes thereunto belonging, and of all such persons as shall come under their cognizance : *Provided*, The same be not repugnant to this law, or any of the laws of this state or of the United States : *And provided also*, That the same shall not have any force or effect, until they shall have been submitted to the court of common pleas, for the time

being, of the county of Greene, and shall have received the approbation of the same.

Commissioners
authorized to ad-
minister oaths,
&c.

SECTION 9. The said directors, or a majority of them, shall have full power and authority to administer oaths or affirmations to all persons residing in the said house of employment, or becoming chargeable to the said county, touching their place of legal settlement; and in case such poor person or persons shall refuse to take the said oath or affirmation, or shall refuse to answer such questions as shall be asked by the said directors touching and relating to said settlement, the said directors may withhold all further relief from such poor person or persons, until he, she or they shall consent to take such oath or affirmation, and answer all such questions as aforesaid; and the said board of directors, or a majority of them, in addition to the power hereinbefore granted, are authorized and empowered to administer oaths and affirmations in all cases whatever, relating to their official duties.

Meetings.

SECTION 10. A quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment, at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress, or cause to be redressed all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Pay.

SECTION 11. The said directors shall each of them receive for their services, annually, the sum of twenty dollars, to defray the expenses of their necessary attendance on the duties of their office.

Vacancies, how
supplied.

SECTION 12. In case of any vacancy by death, resignation, or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by the appointment of a citizen of their county, under the same penalty as is provided by the third section of this act, to serve until the next general election, when another director shall be elected to serve as if no such vacancy had happened.

Claims for sup-
port of poor un-
der old law.

SECTION 13. All claims and demands existing at the time of this act being carried into effect, shall have full force and effect as if this act had not passed, and when the same may have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the several townships in the county of Greene, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Office of overseer,
when to cease.

SECTION 14. As soon as the poor of the county of Greene shall have been removed to the house of employment of the said county, and the outstanding taxes collected and paid over, the office of overseers of the poor within the said county shall from thenceforth be abolished.

Certain powers
and duties trans-
ferred to super-
visors.

SECTION 15. The powers conferred and the duties imposed on the overseers of the poor in and by an act to empower the overseers and guardians of the poor in the several townships within this commonwealth to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in the said county of

Greene; and that the justices of the peace and sheriff within the said county are hereby required and enjoined to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act for the payment thereof in other counties to the overseers of the poor, and to give notice of the receipt thereof to the said supervisors, within the time and in the manner aforesaid; and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the said justices of the peace and sheriff in the said county shall be subject to all fines, penalties and forfeitures to which the justices and sheriffs in other counties, by the said act, are subject or liable.

SECTION 16. The commissioners of said county are hereby authorized and empowered to pay to the directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, The same shall not exceed the annual sum allowed them by this act fifty dollars for any one year. Compensation of directors.
Proviso.

SECTION 17. So much of the laws of this commonwealth relating to the poor as are by this act altered or supplied, be and the same is hereby repealed, so far as they affect the county of Greene. Repeal.

SECTION 18. That the sheriff of the said county shall, in due time, notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act, which place of meeting shall be as near the centre of the county as possible. Duty of sheriff.

SECTION 19. For the purpose of ascertaining the sense of the citizens of Greene county as to the expediency of erecting a poor house, it shall be the duty of each of the inspectors for the several townships and boroughs, at the next general election, to receive tickets, either written or printed, from the qualified voters thereof, labelled on the outside, "poor house," and on the inside, "for a poor house," or "against a poor house;" and if it shall appear upon casting up the votes of the different districts at the court house, on the same day that other returns are made out, that a majority of those who voted are for a poor house, then the foregoing act to take effect; but if a majority of the votes are found to be against a poor house, the foregoing act to be and the same is hereby declared null and void. Acceptance or rejection of this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 571.

AN ACT

To incorporate the Franklin High School and Normal Institute Association of the borough of Martinsburg, in the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John C. Everhart, A. S. Morrow, S. P. M'Fadden, Theophilus Snyder, Andrew Spangogle, A. J. Crissman, N. Campbell, H. S. Crawford, F. G. Bloom, J. S. Nicodemus, Frederick Nicodemus and J. H. Barndollar and their successors, and persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the Franklin High school and Normal institute association, in the borough of Martinsburg, Blair county, Pennsylvania, and by that name may sue and be sued, plead and be impleaded, in any court of law or equity, and to take and hold to them and their successors, either by grant, gift or devise, or lease, any lands or real estate, for the purpose of erecting thereon a suitable building or buildings, for the use of said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will or bequest, from any person or persons, whosoever, capable of making the same, and to have power to borrow money in sums not exceeding five thousand dollars, and to issue their bonds for the same, payable at a fixed term, and the legal rate of interest.

SECTION 2. That each share of stock shall be valued at twenty dollars, and shall entitle the holder to one vote for every share of stock held by him, her or them, in person or by proxy: *Provided*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or meeting of said association, unless the whole sums assessed and due on the share or shares by him, her or them held at the time of such election, and shall have been fully paid and discharged.

SECTION 3. That the election of said officers above named in section first, held on the twenty-sixth day of February, one thousand eight hundred and fifty-nine, in pursuance of a notice of said association, is hereby legalized and confirmed, and the said officers shall hold their offices for the terms for which they were respectfully elected, and until their successors are regularly elected or appointed.

SECTION 4. That the stockholders shall hereafter annually meet on the first Monday of January in each and every year, at such place as shall be fixed by the laws of the association, twenty days having been given for the purpose of electing by ballot, one president, secretary and treasurer, who shall hold their offices for the term of three years, and nine trustees, who shall divide themselves into three equal classes; the seats of the first class shall be vacant at the end of one year; the seats of

Corporators.

Style.

Powers.

Stock

Proviso.

Election of officers legalized.

When held.

Trustees divided into classes.

the second class at the end of two years; the seats of the third class at the end of the third year, so that the third of the whole number of trustees shall be chosen annually hereafter.

SECTION 5. That the trustees shall have power to fill vacancies created by death or otherwise, until the next annual election.

SECTION 6. That any stockholder, whether an original subscriber or assignee, after twenty days' notice of the time and place appointed for the payment of any instalment on the subscription of stock, neglect to pay such proportion at the place appointed, for the space of thirty days after the time appointed for the payment thereof, the same may be forfeited by and to the said association, and may be sold by them for such price as may be obtained therefor, or in default of payment of any of said instalments, the president and trustees may, at their discretion, cause suit to be brought in the same manner as debts of alike amounts are now recoverable for the recovery of the same, together with interest when said instalments were due.

Subscription of stock, relative to payment of.

SECTION 7. That the president and managers shall procure certificates or evidences of stock, and shall deliver one or more certificate or evidences, signed by the president and countersigned by the secretary, and sealed with the common seal of the corporation, to each person or party entitled to receive the same, according to the number of shares held by him, her or them respectively, which certificates or evidences of stock shall be transferable at the pleasure of the holder, in a suitable book or books to be kept by the company for that purpose, in person or by attorney duly authorized, in the presence of the president or secretary; subject, however, to all payments due or to become due thereon.

Certificates of stock, relative to

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 572.

A SUPPLEMENT

To an act to incorporate the Protestant Episcopal Society for the promotion of Evangelical Knowledge, passed March eight, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Annual election
of executive
committee.

the board of officers and managers named in the second section of the act to which this is a supplement, twelve of whom shall form a quorum, shall meet annually, at such time and place as they may appoint, and elect an executive committee, which shall consist of not less than eight nor more than twelve members, one-half of whom shall be laymen, upon which committee shall devolve all the powers of the board during its recess.

Repeal.

SECTION 2. That so much of the act to which this is a supplement, as is inconsistent with this act, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 573.

A N A C T

Relating to the time of holding the Courts in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the several courts of Greene county shall commence and be held on the third Monday of September in each and every year, instead of the fourth Monday as formerly, to continue two weeks if necessary.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 574.

A N A C T

Authorizing the corporation of St. Paul's Church, Erie, to sell Real Estate.

WHEREAS, By deed dated the twenty-fourth of July, one thousand eight hundred and thirty-four, from William Arbuckle and wife, to P. S. V. Hamot, George A. Elliot, Elijah Babbitt, Abijah Beebe, Thomas Forster, Charles M. Reid and William Kelley, vestrymen of St. Paul's church, Erie, the fee simple title to four certain in-lots of the town of Erie, numbered in the original plan of said town with the numbers fourteen hundred forty-five, fourteen hundred forty-six, fourteen hundred forty-seven, and fourteen hundred and forty-eight, were and is vested in said vestrymen in trust, as a burying place for said church; which said lots, by reason of the increase of population, are now in a thickly inhabited portion of the city of Erie, where to inter the dead would be injurious to the health of the living; and said lots have, therefore, long ceased to be used for burial purposes, and the enclosure thereof is fast falling to decay, so that the lots will soon be an open common; and a decent and proper respect for the dead, require that the remains of those there buried should be removed to the neatly kept and commodious grounds of the Erie cemetery, where said church congregation now bury their dead; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation of "The Rector, Church Wardens and Vestrymen of St. Paul's church, Erie," be and it is hereby authorized to sell to whomsoever may purchase the same, and to convey in fee simple, or otherwise, all or any part or portion of said in-lots, numbers one thousand four hundred and forty-five, one thousand four hundred and forty-six, one thousand four hundred and forty-seven, and one thousand four hundred and forty-eight, and good and sufficient deed or deeds of conveyance therefor to make to the purchasers: *Provided,* That before such sale, all the dead in said lots interred shall, at the expense of said corporation, be removed and re-interred in the Erie cemetery, or (if the relatives shall prefer) in such other cemetery or graveyard as the nearest surviving relative or relatives shall designate; and all grave-stones and monuments pertaining to the said deceased, shall be re-set over the same: *Provided,* That before said corporation shall remove the remains of any of said deceased, notice thereof shall be given in at least one newspaper, published in the city of Erie, during twenty-four consecutive weeks, that the remains of the deceased in said graveyard will be removed at and after the elapsing of said period, in order that those relatives, so desiring, may themselves remove their dead to their own grounds; and after the expiration of said twenty-four week notice, it shall be lawful for said corporation

LAWS OF PENNSYLVANIA,

to remove all such dead as shall then remain on said lots, to a lot to be by said corporation procured in the Erie cemetery, and there decently and properly re-inter the same, and re-set the monuments as aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 575.

AN ACT

Fixing the Place of Holding Elections in South Buffalo township, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the general, special and township elections in South Buffalo township, Armstrong county, shall be held at school house, number five, in said township.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 576.

SUPPLEMENT

To the act authorizing Henry Wilton to construct a Dam or Breakwater in the river Susquehanna, dated April third, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all rafts, arks or boats shall have the right and privilege of Tolls. landing and attaching to the booms, anchors, or other rafts, at the following rate of tolls or boomage, to wit: One dollar for every ark, raft or boat landing and lying for any time not exceeding twenty-four hours; two dollars for landing and lying longer than twenty-four hours, and not exceeding ten days; four dollars for every ark, raft or boat landing and lying longer than ten days, and not exceeding ten months; the said Henry Wilton, his heirs or assigns, shall have and hold a lien on all arks, rafts and boats, (landing and lying as above specified,) for the payment of all tolls or boomage, until such time as the same shall be paid to the said Henry Wilton, his heirs or assigns.

SECTION 2. That all lumbermen running rafts or arks not sold, Privilege of land- nor belonging to persons in the borough of Wrightsville or Co- ing. lumbia, shall have the privilege of landing and lying twelve hours free of tolls or boomage.

SECTION 3. That so much of the fourth section of the act to Repeal. which this is a supplement, as is inconsistent with this act, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 577.

A N A C T

In reference to the Commissions of Justices of the Peace and Aldermen.

Persons elected
justices to give
notice to pro-
thonotary of ac-
ceptance.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person hereafter elected to the office of justice of the peace or alderman, shall, within thirty days after the election, if he intends to accept said office, give notice thereof in writing to the prothonotary of the common pleas of the proper county, who shall immediately inform the secretary of the commonwealth of said acceptance; and no commission shall issue until the secretary of the commonwealth has received the notice aforesaid.

Repeal

SECTION 2. That so much of an act of assembly as requires constables to send copies of the returns of the election of aldermen and justices of the peace, to the governor of the commonwealth, is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER,

No. 578.

A N A C T

To authorize the Supervisors of certain townships in Lancaster county to pay a portion of the cost of erecting County Bridges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of the townships of Martic and Conestoga, in the county of Lancaster, be and are hereby authorized to pay out of the township road taxes, one-third of the cost of the erection of a bridge over the Pequena creek, where said creek divides said townships, near Shenk's mill; and the supervisors of Warwick and East Earl townships, in said county, shall have like

authority, in respect to a county bridge at the Newport road, over the Cocalico creek, the boundary line between said townships; the cost of such erections to be paid by and under the directions of the commissioners of Lancaster county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 579.

AN ACT

Requiring the Supervisors in the different townships in Cumberland county, to keep the Wing Walls and Embankments of said County Bridges in Repair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of the several townships of the county of Cumberland shall hereafter be required, on and after the completion of any bridge, and the embankments thereto belonging to the said county, in any of said townships, or on the line between any of said townships, embracing all bridges heretofore built by the county, to keep the road wing walls and embankments up to the wood work of said bridge in good order and repair, under the same penalties they are liable to for not keeping the township roads in repair. Duty of supervisors.

SECTION 2. That the returns of the constables to the court of quarter sessions of said county, in regard to the condition of the public roads of said county, shall hereafter embrace said roads up to the wood work of all bridges in their respective townships. Returns of constables relative to roads.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 580.

AN ACT

Repealing an act approved the fifth May, one thousand eight hundred and fifty-four, authorizing the extension of Walnut Street, in the borough of Blairsville, Indiana county.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to extend Walnut street, in the borough of Blairsville, Indiana county," approved the fifth day of May, one thousand eight hundred and fifty-four, be and the same is hereby repealed.*

Extension of
Walnut street,
relative to.

SECTION 2. That the court of quarter sessions of the county of Indiana is hereby authorized to appoint six persons to view, and if they, or four or five actual viewers, shall approve to extend Walnut street, in the borough of Blairsville, in said county, northwardly, in the due course of said streets, to the northern line of said borough; and the said viewers, or four or five of their number, who shall have actually viewed said premises, shall assess the damages to the owners of property which, in their opinion, would be occasioned by the extension of said street: *Provided*, That in estimating damages the said viewers shall consider as well the value of the advantages to owners of property as the disadvantages occasioned by extending said street, and shall be, respectively, sworn or affirmed to perform the duties of their appointment with fidelity, before they proceed to act; and the said viewers shall report, and the said court have power to act on said report; and any damages assessed shall be paid in the manner provided in the sixteenth, seventeenth and eighteenth sections of an act to vest in Margaret Van Horn, of Juniata county, the right of this commonwealth, and other purposes, approved the fifteenth day of April, A. D. one thousand eight hundred and fifty-two.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 581.

A N A C T

Requiring the Sheriff of Cumberland county to compel all persons committed to the Jail of said county, for Vagrancy, to work.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sheriff of Cumberland county is hereby authorized and required to set all persons committed to the jail of said county, for vagrancy, to work, either in the jail or jail yard, under the superintendence of some person he may appoint for that purpose, and shall require them to work during the time of their commitment, unless manifestly suffering from disease or bodily infirmity.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 582.

A S U P P L E M E N T

To the act, entitled “An Act establishing a mode of selecting and drawing Jurors in and for the city of Philadelphia.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it be the duty of the several assessors of the city of Philadelphia to ascertain, by strict inquiry, the proper orthography of the name of each taxable person within his ward, the exact number of his place of residence, together with his present occupation, profession or business, and to state, plainly written, all such particulars in his assessment list. Duty of assessors

SECTION 2. That the list of taxables, directed in the second section of the act to which this is a supplement, to be lodged with the sheriff by the receiver of taxes of the city of Phila- List of taxables
when to be lodged
with sheriff.

LAWS OF PENNSYLVANIA,

delphia, be so lodged before the tenth day of November next, and before the same day and month in every year thereafter.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 583.

AN ACT

To confer on Joseph B. Chrechfield, of Somerset county, all the Rights and Privileges of a Child born in Lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Joseph B. Chrechfield, of Somerset county, born twenty-first March, one thousand eight hundred and ten, son of Joseph Chrechfield, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and effectually as if he had been born in lawful wedlock.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 584.

AN ACT

Relative to Unadjusted Claims against the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all claims against the public works, which remained on file in the canal office, and upon which no final action was had at the time of the abolition of the office of canal commissioner, be and the same are hereby referred to the auditor general: *Provided,* That the provisions of this bill shall not extend to any of the lines of canals sold to the Sunbury and Erie railroad company.

Certain claims to be referred to auditor general.

Proviso.

SECTION 2. It shall be the duty of the auditor general, upon the application of any person holding a claim as aforesaid, to examine into the correctness of such claim and to report to the legislature the amount due and the facts connected therewith.

Duty of auditor general.

SECTION 3. That the auditor general, state treasurer and attorney general, are hereby authorized and required to examine all claims not heretofore passed upon by the canal board, for work and labor done, and services rendered and materials furnished to and for the commonwealth of Pennsylvania, on the main line of the Pennsylvania canal, not included in the first section of this act, for six years prior to the sale of the said canal to the Pennsylvania railroad company, and may certify any claim or claims they find to be just and legal, to the next legislature: *Provided,* That said board shall have power to send for persons and papers, and issue rules to take depositions in their investigation of said claims: *And provided further,* That the said board shall report their proceedings under this section, with a statement of the claims allowed by them, to the next legislature; and the sum of five hundred dollars is hereby appropriated to pay any expenses incurred in said investigation, to be paid by the state treasurer, upon warrant drawn by said board therefor.

Auditor general, state treasurer and attorney general required to examine certain claims.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 585.

A N A C T

Authorizing the Auditor General to correct certain Accounts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be empowered and directed to transfer to the credit of the Williamsport and Elmira railroad company, on account of the tax due upon its capital stock, the sum of five hundred and ten dollars, erroneously paid by and credited to the Catawissa, Williamsport and Erie railroad company, January twenty-first, one thousand eight hundred and fifty-six: Provided, That the auditor general shall be satisfied that the Williamsport and Elmira railroad company are entitled to said credit, before he transfers the same to their account.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 586.

A N A C T

To increase the Fees of Jurors in the Rural Districts of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That every person who shall serve or attend as a juror in any court of the city and county of Philadelphia, and who shall reside at a distance of more than three miles from the state house in said city, shall be entitled to receive for said service the sum of one dollar and fifty cents for each day's attendance; and shall further be entitled to receive mileage, at the rate of six and one-quarter cents per mile circular for each mile traveled in going to and returning from said court house, for each and every week,*

or parts of weeks, that they may serve as jurors; the aforesaid fees to be paid by the treasurer of said city upon a warrant by the city commissioners, as now authorized by law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 587.

AN ACT

Relative to the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no suit shall hereafter be brought by any city officer in the name of said city, without notice in writing or in person to the regularly chosen solicitor of said city, who shall keep a regular docket of all such suits, and hand the same over to his successor in office. Suits brought by officers of the city, relative to.

SECTION 2. The councils of said city are hereby authorized to assess all the cost and expenses paid or assumed by said city, of putting in force sections eleventh, twelfth, thirteenth and fourteenth of an act of assembly approved May sixteenth, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act supplementary to an act to incorporate the city of Pittsburg," upon the fund created by said act, and certify the amount of said assessment to the commissioners of the sinking fund of said city, and if the said commissioners shall find the same to be correct, they shall pay the amount of said assessment into the city treasury out of the fund arising under said sections. Cost and expenses of putting in force certain act of assembly.

SECTION 3. The taxes and public assessments made payable at the treasurer's office in said city, by section four of an act approved May sixteenth, one thousand eight hundred and fifty-seven, shall be payable between the first day of June and the first day of October in each year, subject to a deduction of five per centum, if paid on or before the first of August, and two per centum, if paid between the first of August and fifteenth of September; on the third Monday in September, annually, the treasurer shall give public notice in the newspapers authorized as public printers, to all persons who have omitted to pay their Taxes and public assessments, relative to payment of. Treasurer to give public notice.

When to issue warrants.	taxes, that if not paid, without deduction, on or before the first day of October following, that five per centum will be added thereto, and that if not paid by the first of November following, warrants will be issued to collect the same, with ten per centum added to the original assessment, five per centum for the use of the city, and five per centum as compensation to the collector, which said additions are hereby authorized; and it shall be the duty of the treasurer to issue his warrants as authorized in the fourth section of the said act of May sixteenth, one thousand eight hundred and fifty-seven, on or before the fifth of November in each year, directed to any competent citizen or citizens whom he may appoint for the collection of the unpaid taxes and assessments, and the said warrants shall be made returnable on or before the fifteenth day of January following, which return shall be final and complete; and all acts or parts of acts of assembly hereby altered or supplied, or inconsistent with this act, are hereby repealed.
Repeal.	
Writs of scire facias, relative to issuing of.	SECTION 4. That any writ of <i>scire facias</i> issued in pursuance of the fourteenth section of an act supplementary to an act incorporating the city of Pittsburg, approved the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, may embrace and include as many lots belonging to the same owner or owners, as may be deemed proper by the city solicitor; and when more than one such writ has been, or shall be issued against the same owner or owners, the court shall have power to consolidate the same into one action, and direct the manner in which such action shall be tried; and the court shall also have power, upon motion, to amend any lien filed in accordance with the provisions of said section, by changing, striking out or inserting the name of any person named as owner, without affecting the validity of such lien: <i>Provided</i> , That the writ shall be served upon any person or persons whose names shall be so changed or inserted, in the same manner as if they had been named in the original lien.
City solicitor, powers of.	
Proviso.	
Fiscal year, when to commence.	SECTION 5. The fiscal year of said city shall, hereafter, begin on the first day of February; the terms of office of the mayor, treasurer, comptroller, and of all city officers elected by councils, shall also begin on that day, and the terms of those now holding any of said offices in said city, are hereby extended to the first day of February, one thousand eight hundred and sixty; the time for making the annual appropriations, as now provided for in an act approved April sixth, one thousand eight hundred and fifty, is hereby changed, and the said appropriations shall hereafter be made in the month of January, subject to all the other provisions of the said act of assembly.
Terms of certain officers.	
Time of making annual appropriations changed.	
Repeal.	SECTION 6. So much of the sixth section of an act to incorporate the city of Pittsburg, approved March eighteenth, one thousand eight hundred and sixteen, as requires the ordinances of said city to be published in any public newspaper, and recorded in the office of the recorder of deeds in and for the county of Allegheny, is hereby repealed, so far as regards an ordinance of said city now before the councils, entitled "An ordinance for the government of the city of Pittsburg:" <i>Provided</i> , That before said ordinance shall go into effect, a copy thereof, certified by the presidents and clerks of councils, shall be filed in the office
Proviso.	

of the recorder of deeds in and for the county of Allegheny ; and a certificate of such filing, under the hand and seal of said recorder of deeds, shall be filed in the comptroller's office, and published in one or more newspapers in said city.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 588.

A SUPPLEMENT

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter, in case of any vacancy occurring in the directors of any sectional school board in the city of Philadelphia, it shall and may be lawful for the remaining directors of said sectional board to fill the same ; and the person so chosen to fill said vacancy shall serve until the next municipal election, at which time the qualified voters of the district in which said vacancy shall have occurred shall elect a director for the unexpired term of such school director.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 589.

A SUPPLEMENT

To an act to erect part of the township of Denison, in the county of Luzerne, into a separate district for road purposes, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the thirteenth, fourteenth, fifteenth and sixteenth sections of an act, entitled "An Act to erect part of the township of Denison, in the county of Luzerne, into a separate district for road purposes; relative to a certain road in Kingston township, Luzerne county, and to incorporate the Valley and Mountain turnpike and plank road company," approved the fourteenth day of April, one thousand eight hundred and fifty-one, be so construed as to require the Valley and Mountain turnpike and plank road company to commence the construction of the said road either at the village of Huntsville or of M'Lellonsville, and to proceed from either of those points to the eastern terminus of the said road: *Provided, That* two and one-half miles of said road, lying and being between the end of the Wilkesbarre bridge, in Kingston township, Luzerne county, and the Kingston mountain, in said township and county, shall not be included in said charter or occupied in any way by said turnpike or plank road company, and said two and one-half miles of said road to be free to and for the use of said Kingston township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 590.

A SUPPLEMENT

[To the acts limiting Actions against Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no entry upon lands shall arrest the running of the statute of limitations, unless an action of ejectment be commenced therefor within one year thereafter; nor shall such entry and action, without a recovery therein, arrest the running of said statute in respect to another ejectment, unless it be brought within a year after the first shall have been non-suited, arrested or decided against the plaintiff therein. Statute of limitations and actions of ejectment, relative to.

SECTION 2. That when the right of a tenant in tail of any land or ground rent, to make an entry or distress, or to bring an action to recover the same, shall become barred by reason of the same not having been made or brought within the period limited by law, no such entry, distress or action shall be made or brought by any person claiming any estate, interest or right which such tenant in tail might lawfully have barred; and whensoever the statute of limitations shall have begun, or shall begin to run against the tenant in tail, it shall continue to run against the issue, remainderman or reversioner, unless arrested by the act of the tenant in tail: *Provided,* That no person shall be barred or effected by force of this act, until after the expiration of three years from the date hereof. Rights of tenants in tail, relative to. Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 591.

AN ACT

Repealing a certain act relating to Executions against Bridge Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

an act, entitled "A supplement to the seventy-seventh section of the act of sixteenth June, Anno Domini one thousand eight hundred and thirty-six, relating to executions against corporations," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby repealed: *Provided*, That this act shall not affect any sale actually made under the provisions of said act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM F. PACKER.

No. 592.

A N A C T

Relating to Executors, Administrators and Guardians.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* where any executor, administrator or guardian has been required, or hereafter shall be required, upon the receipt of money, to give a refunding bond as required by law, it shall be lawful for such executor, administrator or guardian upon paying over such money to creditors, heirs, legatees or ward, to require, under the direction of the orphans' court, a bond, refunding receipt, or other obligation from the person or persons receiving the money, to indemnify such executor, administrator or guardian to the amount each one may receive.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 593.

AN ACT

Relating to Partitions in Courts having Equity Jurisdiction in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a bill has been, or shall hereafter be filed in any court in the county of Allegheny having the jurisdiction of courts of equity in cases of partition, it shall be lawful for the said courts, after a decree for partition shall have been made, to refer the case to a master, or master and commissioners, to decide and partition the lands and tenements into purparts and value the same, and to ascertain the amounts which shall be paid or charged thereon for owelty, or which shall be paid or secured to the parties to whom no purpart can be allotted, in the manner now authorized by law under writs of partition issued out of courts of common law; and the said master, after such partition and valuation has been made, shall award and allot the said purparts to and among the parties entitled, together with the sums to be charged thereon and payable as and for owelty of partition; and when the premises cannot conveniently be divided into as many purparts as there are parties entitled, to award and allot the amount or sum to be paid or secured to them, respectively, and the times when such payments shall be made, and the purparts out of which the same shall be payable.

Duty of courts of equity in cases of partition, &c.

After decree of court master and commissioners to make partition, &c.

SECTION 2. It shall be the duty of said court, upon the report of the said master and commissioners being returned, to examine the same, and it shall be lawful for the court to refer the same for alteration or correction, or to set it aside, and direct a new partition and valuation; and when said report shall be approved, to confirm the same, and direct conveyance to be made, whenever such conveyances are requisite, for the purpose of vesting a complete legal title to the purparts in the parties to whom the same shall be allotted; and conveyances heretofore made under such decrees are hereby confirmed.

Report of master and commissioners, relative to.

SECTION 3. That every decree confirming a partition as aforesaid, shall have the same effect as a judgment of a court of law in like cases, that the partition remain firm and stable in vesting the title to the purparts in the parties respectively to whom such purparts shall have been or shall be allotted in severalty.

Decree confirming a partition to have the effect of a judgment.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 594.

A SUPPLEMENT

To an act incorporating the Quakertown and Spinnerstown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act incorporating the Quakertown and Spinnerstown turnpike road company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and thirty-seven, as permits free travel over said company's road, is hereby repealed, except so far as the same relates to persons traveling in funeral processions, military companies on parade in uniform, and persons going from one part of their farms to another; and that said company shall have the privilege of charging tolls for the fractional part of a mile traveled, and not be liable for the fraction of a cent in making change for toll charged.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 595.

A N A C T

Relating to the Fees of County Surveyors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several county surveyors of this commonwealth shall be and are hereby authorized to charge and receive for the services hereinafter mentioned, the following fees, and no more, to wit:*

Fees of county
surveyors.

For receiving warrant and giving receipt for the same, if required, twenty-five cents.

For executing warrants, not exceeding one hundred acres, four dollars and fifty cents.

For each additional one hundred acres on same warrant, seventy-five cents.

For return of survey to surveyor general's office, one dollar.

For draft thereof to the warrantee, twenty-five cents.

For executing order of re-survey and making return thereof, same fees as for like service on original survey.

For certifying survey made by deputy, fifty cents.

For each mile necessarily traveled in going to and returning from land, ten cents.

SECTION 2. That if any county surveyor shall take greater or other fees than is hereinbefore expressed and limited for the service designated, he shall be subject to all the penalties and liabilities prescribed by the twenty-sixth section of the act of the twenty-eighth of March, one thousand eight hundred and fourteen, entitled "An Act establishing a fee bill." Penalty.

SECTION 3. That all laws or parts of laws relating to the fees of county surveyors, inconsistent herewith, be and the same are hereby repealed. Repeal.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 596.

A N A C T

Relative to Sureties of County Treasurers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any county treasurer within this commonwealth shall fail to pay to the commonwealth, on demand being made, the balance found to be due by him upon settlement of his account by the auditor general and state treasurer, a petition may be presented to the court of common pleas of the county wherein the said treasurer may reside, at the instance of the attorney general, or one or more of the sureties of said county treasurer, praying for his dismissal from office, on account of said default. Upon the presentation of said petition, the said court shall enter a rule upon said county treasurer, to appear on a day certain, to shew cause why he should not be removed from said office; of which due notice shall be given to said county treasurer.

Mode of proceeding against delinquent county treasurers by sureties

Courts of common pleas authorized to dismiss delinquent treasurers.

Proviso

SECTION 2. That upon the hearing of said rule, if it shall be made to appear to the satisfaction of said court that the said officer is in default for the non-payment of money due the commonwealth, the said court shall forthwith make a decree dismissing him from the said office; and upon receiving a certified copy of the said decree, the commissioners of the proper county shall immediately fill the vacancy thereby created, until the next general election, by the appointment of a suitable person, who shall give bond in such amount and with such sureties as shall be ordered and approved by the court of quarter sessions of the proper county: *Provided*, That if the sum so found due be paid at any time before such decree is made, it shall discharge the proceedings.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 597.

AN ACT

For the relief of Rachel Robison, widow of an old soldier of the Revolution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay to Rachel Robison, of Miami county, Ohio, widow of Robert Robison, an old soldier of the Revolution, an annuity of forty dollars during her life, payable half yearly, and dating from the first day of January, Anno Domini one thousand eight hundred and fifty-nine.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 598.

A N A C T

To incorporate the Allen Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles W. Cooper, Charles Runk, Ephraim Grim, James F. Kline, Reuben Haninger, James Bush, Joseph Young, Jesse M. Line, Isaac Staihr, Jacob Zimmerman, Joshua Seiberling, Henry Grim, John Modern, Enos Erdman, T. H. Good, Edmund Newhard, Joseph F. Newhard and Nelson Weiser, of the county of Lehigh, are hereby appointed commissioners, who, or a majority of them, are authorized and empowered from and after the passage of this act, to establish an insurance company by the name and title of the Allen mutual insurance company, to be located in the borough of Allentown, in the county of Lehigh, which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact its business upon the mutual principle.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 599.

A N A C T

For the relief of Elizabeth Roberts, a widow of a soldier in the Indian war of one thousand seven hundred and eighty-eight, till one thousand seven hundred and ninety-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

LAWS OF PENNSYLVANIA,

the state treasurer be and he is hereby authorized and directed to pay Elizabeth Roberts, of Greene county, forty dollars as a gratuity, and an annuity of forty dollars during life, payable half yearly, to commence on the first day of January, one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 600.

A N A C T

To regulate the Standard Weight of Oats.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the standard weight of oats shall be thirty pounds. instead of thirty-two pounds, per bushel, as prescribed by the act of the tenth March, one thousand eight hundred and eighteen: Provided, That nothing in this act contained shall be construed as to prevent any person or persons from selling and buying oats by measure.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 601.

AN ACT

Relating to Testamentary Trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases of trusts created by will, and annexed to the office of executor, he may decline to accept the trust, or be discharged therefrom without affecting his office of executor, and the orphans' court of the proper county shall have power to fill the vacancy by appointment; and if a trust fund or estate is committed to an executor, or other trustee, in which several *cestuis que trust* have or are entitled to enjoy separate interests, and a vacancy should in any manner occur in the office of trustee thereof, the said courts may appoint one or more trustees of such estate or fund, for each of the said *cestuis que trust*, on his or her application; and the said trustee shall give security as is provided by existing laws.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 602.

A FURTHER SUPPLEMENT

To an act to incorporate the Bradford Railroad and Coal Company, approved the twenty-eighth day of May, Anno Domini one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the clause in the eighth section of the said act having reference to the forfeiture of stock in the said company, be and the same is hereby repealed; and that in lieu thereof the said eighth section shall be amended as follows: "The directors may from

time to time call in, on thirty days' notice thereof in at least one newspaper printed in the county of Bradford, and two daily papers printed in the city of Philadelphia, such instalments on the stock of said company as they may judge best, not exceeding twenty per cent thereof, at any one time and place appointed; and if any instalment on the stock so called in shall remain unpaid for the space of thirty days from the time so appointed, every such stockholder or subscriber, or his or her assignee, shall, in addition to the instalment so called for, pay at the rate of one per centum per month for the delay of such payment; or in default of payment by any stockholder or subscriber of any such instalment as aforesaid, the directors may cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid; or at their election, may cause the share or shares of stock on which the same shall be due to be sold at public auction to the highest and best bidder, and the proceeds of such sale applied to the payment of the instalment or instalments due, with interest and expenses of such sale, and the surplus, if any, shall be paid over to such delinquent stockholder or stockholders:" *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to said election or meeting.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 603.

AN ACT

For the relief of the late firm of Moderwell and Longenecker.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of eight hundred dollars be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to John H. Longenecker, surviving member of the late firm of Moderwell and Longenecker, in payment of their*

claim for the actual loss occasioned by the destruction of one long and one short car, belonging to them, by a collision on the Philadelphia and Columbia railroad, on the twenty-fourth October, one thousand eight hundred and fifty-six: *Provided*, That before the payment of the said claim, the auditor general, state treasurer and attorney general, or a majority of them, shall examine the said claim, and if the same shall be found to be correct, the state treasurer shall pay the claim out of any moneys not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 604.

AN ACT

Authorizing Vice Presidents of Banks to receive Salaries for their services.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the duly elected vice president of any bank within this commonwealth, to receive such salary as may be fixed upon by the board of directors of said bank.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 605.

AN ACT

For the repeal of so much of the second section of the act passed the thirteenth day of May, one thousand eight hundred and fifty, as relates to the Glen Hope and Little Bald Eagle Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of an act number four hundred and twenty-nine, approved the thirteenth day of May, one thousand eight hundred and fifty, entitled "An Act to authorize the trustees of the Methodist Episcopal church of Trough creek to make sale of a certain parsonage, and relative to the Glen Hope and Little Bald Eagle turnpike road company," as authorizes and empowers the Glen Hope and Little Bald Eagle turnpike road company to extend their road from the mouth of the Little Bald Eagle creek, in Blair county, to the junction of Market and Tyrone streets, in Birmingham, in Huntingdon county, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 606.

AN ACT

For the better Regulation of Billiard Rooms, Bowling Saloons and Ten-pin Alleys, in the counties of Chester and Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for the licensed keeper, proprietor or owner, or the superintendent or marker of any billiard room, bowling saloon or ten-pin alley in the counties of Chester and Delaware, knowingly to allow or to permit any minor to be present in such billiard room, bowling saloon or ten-pin alley; and any keeper,

To prevent minors from being present in billiard rooms, bowling saloons, &c.

proprietor, owner, superintendent or marker of such billiard room, bowling saloon or ten-pin alley, knowingly allowing or permitting any minor to be present therein, shall upon conviction thereof in the court of quarter sessions of the said county, be punished by a fine not less than the amount of the license, nor more than five hundred dollars; and the said licensed keeper, proprietor or owner shall forfeit his license. Penalty.

SECTION 2. That no person licensed to keep a restaurant or eating house, or to sell spirituous or malt liquors, shall establish upon his premises a billiard room, bowling saloon or ten-pin alley, shuffle board, or other like game, directly communicating with, or the passage to which shall lead through the public bar-room, eating room, or other place of public resort on the premises, under the penalty of ten dollars for every day such communication shall be allowed, to be recovered as debts under one hundred dollars are recoverable, one-half to go to the informer. Keepers of restaurants or eating houses not to establish billiard rooms, bowling saloons, &c., upon premises. Penalty.]

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 607.

A N A C T

For the relief of the Somerset Borough School District, in Somerset county.

WHEREAS, The school directors of Somerset borough were unable, for two years past, to keep open the public schools of said borough according to law, from the want of the necessary school buildings:

And whereas, They have at great expense erected and furnished the required buildings during the last two years, and now have their schools in operation, having contracted a heavy debt in so doing.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the superintendent of public schools be authorized and directed to pay to the school directors of Somerset borough, any sum or sums, not exceeding the sum of one hundred and fifty dollars, to which said district would have been entitled, but were lost in

LAWS OF PENNSYLVANIA,

consequence of the failure to keep up the public schools of said district according to law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 608.

A N A C T

In relation to the Towanda and Burlington Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in case the Towanda and Burlington plank road company shall abandon their road by ceasing to take tolls and by removing their gates, they shall not be required to maintain said road or keep it in repair, but the boroughs and townships of Towanda, respectively, in which the same lies, may take immediate possession of that portion which lies in their respective limits; and the said company is hereby released and absolved from all obligations, penalties and forfeitures arising from a failure to keep said road in repair.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 609.

A N A C T

Relative to the Election of District Attorneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent of the act of May third, one thousand eight hundred and fifty, providing for the election of district attorney, shall be held to be that any person elected to fill a vacancy in the office of district attorney, shall hold his office for the full term of three years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 610.

A FURTHER SUPPLEMENT

To an act relating to a Burial Ground and School Lot in the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any of the rights, franchises or privileges of the inhabitants of the original town plot of the borough of Pottsville, or other persons, shall have been divested or injuriously affected by the acts of the legislature to which this is a further supplement, authorizing the erection of a public school house, &c., on ground dedicated by John Pott to certain public uses, all parties aggrieved or injured thereby, shall be entitled to compensation and redress, by joining in an application setting forth their grievances and injuries to the court of common pleas of Schuylkill county; and thereupon it shall be the duty of the said court to require the Pottsville school district to make such compensation and redress, out of the school fund of said district, as on a trial

by jury and due course of law the said parties shall be entitled to: *Provided*, That a refusal to join in said application by any of the aforesaid parties, shall not operate to prevent the others from obtaining compensation and redress in the mode prescribed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 611.

A N A C T

To incorporate the Delaware Avenue Market Company, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators. Owen Robbins, John Allen, James H. Hurte, Robert Shultz, Wm. H. Harrison, Albert Burr, Mackey Williams, Peter Parker, John N. Hutchison, John Kessler, Jr., Harman Yerkes, James Gibson, A. F. Cheeseborough, Nathan Hellings, John Hill, Jacob Rice, George Fields, Peter F. Wright, John P. Rice, George W. Watson, Jacob Heller, Dan'l Dwire, George M. Hill, Fred'k Glading, Calvin H. Test, John Atherly, and their associates, who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic

Style and corporate, by the name, style and title of the Delaware Avenue market company, of the city of Philadelphia, and as such

Powers. shall have power to purchase and hold real estate, and to erect thereon buildings and improvements, properly constructed and adapted for a market, together with wharves, docks and landings, of sufficient size and capacity to accommodate the fishermen and wholesale dealers in produce arriving at the market by way of the river Delaware: *Provided*, That such real estate shall be purchased, and such market house erected, fronting on the Delaware avenue, and south of Callowhill street and north of Chesnut street, in said city: *And provided also*, That said company shall hold no other real estate nor erect any other market house in said city, excepting the one on the said Delaware avenue.

SECTION 2. That the capital stock of said company shall consist of four thousand shares, of one hundred dollars each, with the privilege of increasing the same to five thousand shares. Capital stock.

SECTION 3. That the said company shall have power, and it is hereby authorized to borrow any sum or sums of money, not exceeding three hundred thousand dollars, for the purpose of said corporation; and in order to secure the payment of the same, shall issue their bonds therefor, of not less than one thousand dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders. May borrow money and issue bonds, &c.
To be secured by mortgage.

SECTION 4. That the parties hereinbefore mentioned, or a majority of them, may proceed to organize said company and obtain subscriptions to the capital stock thereof; and after one thousand shares shall have been subscribed by not less than one hundred persons, and at least five per centum paid in on said subscription, they shall provide by advertisements, at least twice a week for two weeks, in two or more newspapers published in said city, for the election of a board of seven directors, who shall serve until the first Tuesday of November next, and until their successors be duly elected; and annually thereafter upon the first Tuesday of November, the stockholders shall elect a similar board of directors, to serve in like manner for one year and until their successors shall be duly elected; and if for any reason any of said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company, for said purpose, not more than two months later than said date; and the said directors shall supply all vacancies in their board, by death, resignation or otherwise, until the next annual election; but no person shall be elected a director, who shall not be at the time a stockholder in said company. Organization.
Election of directors, when held.
Vacancies, how supplied.

SECTION 5. That the said directors shall have power to elect a president, treasurer and such other officers, being citizens of Pennsylvania, as may be deemed necessary and expedient; and in every election for directors each stockholder shall be entitled to one vote for each share of stock; but no stockholder, whether original subscribers or assignees, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at that time, shall have been fully paid and discharged. Directors to elect officers, &c.
Votes.

SECTION 6. That the said company shall have power to make and have a common seal, the same to alter and renew at pleasure, and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this state, and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation and the proper management of the affairs thereof: *Provided*, They shall not, by any rule or Seal.
By-laws.
Proviso.

regulation, prevent the farmers who rent stalls in said market house from disposing of the produce of their farms in such quantities and upon such terms as said farmers may think proper; and the farmers of the state of Pennsylvania shall enjoy all the rights and privileges in said market house, that may be granted to the citizens of Philadelphia or elsewhere: *Provided further*, That said company, before the renting of any stalls in said market house, and yearly thereafter before said renting, shall, by ten or more printed handbills put up in the most conspicuous places in said market house ten days before the time of renting, give notice of the time when said stalls will be rented; which said renting shall take place in said market house: *And provided further*, That upon application being made at the time of letting said stalls, the farmers of the state of Pennsylvania shall be entitled to rent fifty per cent. of the stalls in said market: *Provided further*, That no farmer shall be entitled to rent more than three stalls in said market, unless all the stalls shall not be applied for at the time of letting.

Proviso.

Proviso.

Proviso.

Dividends.

SECTION 7. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July in each and every year, and to be paid at the office of said company, at any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock thereof shall not be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company for the excess so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon the minutes of the board, and give public notice of the same.

May issue certificates of stock, &c.

Proviso.

SECTION 8. The said company shall have power, and is hereby authorized to issue certificates of stock at par, in liquidation of the whole or any part of the mortgage debts on the estate or property of said company: *Provided*, That such issue of stock, together with the original shares taken and subscribed from time to time by the stockholders, shall at no time and in no event exceed the five thousand shares authorized under the second section of this act of corporation.

Limitation.

SECTION 9. *Provided*, That the privileges hereby granted shall continue for the period of thirty years, and no longer, unless extended or renewed by the legislature.

Repeal.

SECTION 10. That the legislature hereby reserves the right to amend or alter the provisions of this charter: *Provided*, No injustice shall be done thereby to the stockholders of said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini *one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 612.

A N A C T

Relative to the Wicacoe and Moyamensing Meadow Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the elections for managers and treasurer of the Wicacoe and Moyamensing meadow company, and the owners of lands within the bounds recognized by the acts relative to the said company, shall have the right to vote: *Provided,* That no person owning less than an acre of land shall be entitled to vote, and the number of votes which each owner shall be entitled to, shall correspond with the number of acres of land within the said bounds of which he may be possessed. Owners of lands the right to vote.
Proviso.

SECTION 2. That the owner of any fractional part of an acre shall be assessed a proportionate amount of tax; but in no case shall any owner of less than one acre be assessed less than fifty cents for such fractional part. Tax, relative to assessments of.

SECTION 3. That within twenty days after the passage of this act, any number of the said owners, possessed of a majority of the acres of land within the said bounds, shall, by notice published in two daily newspapers in the city of Philadelphia, fixing the time and place of holding the election, call a meeting of the owners of land within the said bounds; and at such meeting an election shall be gone into, by ballot, for five managers and a treasurer of the said company, who, when elected, shall serve from the time of their election until the first Monday of March, A. D. one thousand eight hundred and sixty. Election of managers and treasurer, relative to.
Terms of service.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 613.

AN ACT

To incorporate the Jacksonville and Virginia State Line Clay or Turnpike Road Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That
- Commissioners. Ellis Bane, Wilson Barnett, John Laughridge, Abraham Walton, Samuel Vanata, William Supler, Ralph Drake, Jefferson Billock, Solomon Booker, Armstrong Gwin and D. W. Gray, or any five of them, are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style and title of the Jacksonville and Virginia State Line clay or turnpike road company, with the power to construct a turnpike or clay road from the east end of the village of Jacksonville, in Greene county, to the Virginia state line, at a grade not exceeding five degrees, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," passed the twenty-sixth day of January, one thousand eight hundred and forty-nine.
- Style.
- Route.
- Subject to.
- Capital stock. SECTION 2. The capital stock of the said company shall consist of three hundred shares, at ten dollars per share: *Provided,*
- Proviso. That said company may from time to time, by a vote of the stockholders at a meeting called for the purpose, increase their capital stock so much as, in their opinion, may be deemed necessary to complete the said road, and to carry out the true intent and meaning of this act.
- When gates to be erected and tolls taken. SECTION 3. That whenever the said company shall have completed five miles of said road, they shall have power to erect a toll gate and receive tolls, agreeably to the conditions and restrictions of the aforesaid act, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine.
- Authorized to use certain bridges and site of certain state road. SECTION 4. That the said company shall have the right to use two certain bridges, erected at the expense of the county of Greene, over Wheeling creek, the said company keeping, at their own expense, said bridges in good repair; and also to use the present site of the state road whenever it may become necessary.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 614.

A N A C T

Fixing the place for holding the General and Township Elections in Lycoming township, Lycoming county.

WHEREAS, A new township has recently been erected from that part of Lycoming township, in Lycoming county, which includes the place where the elections in and for the said township of Lycoming have heretofore been held, leaving the voters thereof without any properly qualified place for holding elections in said township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections in and for the township of Lycoming, shall hereafter be held at the house of Ambrose Hays, formerly used by him as a furniture room, at Perrysville, in said township.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 615.

A N A C T

To fix the place of holding Elections in Union township, Union county, and to legalize an election held in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections in Union township, Union county, shall hereafter be held at the house of Thomas Pursell, in said township. Elections, when held.

SECTION 2. That the election held in said township of Union, on the eighteenth day of March last, shall be deemed as valid. Certain election validated.

and binding in all respects as though it had been held at the place provided by law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 616.

AN ACT

For the Reformation and Employment of Vagrants, Drunkards, and other Disorderly Persons, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be established a house of reformation and industry in the county of Allegheny, under the charge and management of a board of managers appointed as provided in this act.

House of reformation and industry established.

Managers to be citizens of Allegheny county.

How chosen.

Election of officers.

Managers to divide themselves into classes, &c.

Vacancies, how supplied.

SECTION 2. That the managers of said house of reformation and industry, shall consist of citizens of Allegheny county, who shall be chosen as follows: On or before the first Monday of April next, the court of quarter sessions of said county shall appoint three persons, the district court three persons, and the county commissioners and auditors in joint meeting, three persons, who shall hold office as managers of said house from the second Monday of July aforesaid, without pecuniary compensation; and shall meet on the first Monday of April, at the court house, and after electing a president, secretary and treasurer from their number to serve for one year, and until their successors are duly chosen, proceed to divide themselves by lot, or otherwise, into three classes; the first class to hold office for one year; the second class for two years; and the third class for three years; so that the term of one of those appointed by each of the said courts, and one of those appointed by said commissioners and auditors, will expire each year thereafter; and all vacancies in said board shall be filled for the unexpired term by appointment by the courts, or the commissioners and auditors by whom the person whose death, resignation, or removal shall have caused such vacancy was selected; and on the expiration of the term of any member, his place shall be filled by appointment for three years by the proper court, or commissioners and auditors, as the case may be.

SECTION 3. The said board of managers, five of whom shall be a quorum for the transaction of business, shall be a body politic and corporate, in law, under the style and title of the House of Reformation and Industry of Allegheny county, and shall have all the rights and be subject to all the liabilities of a corporation, with power to enact such by-laws and regulations for the government of the board and the house of reformation and industry, as they may deem necessary, not inconsistent with the constitution or laws of the commonwealth, or of the United States.

SECTION 4. That it shall be the duty of said managers, as soon after their organization as practicable, to lease, rent, purchase, or erect a suitable building or buildings, to be used or occupied for the purpose of keeping employed and reforming such persons as may be committed to their charge under the provisions of this act: *Provided*, That if said managers should be satisfied that any portion of the public grounds or buildings adjoining the county prison, or within the grounds thereof, can be used for such purposes without unduly encroaching upon said prison, or endangering the health of the prisoners, or the due administration of justice, they shall proceed to occupy the same, or so much as may be necessary for the purposes of this act, after having obtained the consent of the county commissioners thereto. And no building shall be erected, leased or rented, until the plan of such erection, or the contract for such lease, shall have been approved by the court of quarter sessions of said county.

SECTION 5. That when said managers shall have provided the accommodations necessary for carrying out the intention of this act, they shall elect a superintendent and matron for said house, and such other officers as they may from time to time deem necessary, whose duties shall be stated in the regulations of said house, and whose respective salaries shall be fixed by the board, subject to the approval of the court of quarter sessions.

SECTION 6. That after the first day of July, A. D. one thousand eight hundred and sixty, on four weeks' notice given by said board through three or more newspapers of said county, that they are prepared to receive all proper persons into said house of reformation and industry; it shall be the duty of the sheriff and jailor of Allegheny county to transfer to their custody all prisoners having more than ten days to serve, who shall have been committed to prison for vagrancy, drunkenness or disorderly conduct; and thereafter it shall be the duty of magistrates in said county to commit vagrants, drunkards and disorderly persons to the house of reformation and industry, instead of the county jail, to be fed, clothed and treated as provided by this act and the regulations of said house: *Provided*, That the superintendent may, under the direction of the managers, commit any inmate to the county prison, for a period not longer than his or her committal to the house, or remove any inmate to the poor house of the proper city or county, or to the Western Pennsylvania hospital or lunatic asylum, should circumstances require.

SECTION 7. That after the notice required by the preceding section shall have been given, it shall be lawful for any magistrates in committing vagrants.

Proviso. trate to commit a vagrant to said house, for a period not less than thirty nor more than sixty days; a disorderly person, not less than ten nor more than thirty days; and any person convicted of drunkenness, not less than three nor more than five days: *Provided*, That to prevent needless expense to said county by frequent committals, in case any person accused of disorderly conduct shall have been previously convicted thereof before such magistrate, or shall have no visible means of support, he shall, if convicted, be committed not less than thirty nor more than sixty days; and that it shall not be lawful for any magistrate in said county to commit a vagrant or disorderly person for drunkenness, or a vagrant for disorderly conduct; but such persons shall be committed for the offence requiring the longest term.

Superintendent may receive and court of quarter sessions commit vagrants. SECTION 8. That the superintendent, under such regulations as the managers may prescribe, may receive any persons who may confess themselves vagrants, or unable to obtain a livelihood; and the court of quarter sessions may commit to said house, in its discretion, any persons convicted of misdemeanor, who might by law be committed to the county jail.

Inmates to be kept employed, &c. SECTION 9. That every person in the custody of the board of managers, not disqualified by sickness or otherwise, shall be kept at some useful employment, such as may be best suited to his or her age and circumstances, and such as shall, upon trial, be found to be most profitable to the institution, and suitable to its proper discipline, and to the health and capacities of the inmates.

Punishment for acts of insubordination, &c. SECTION 10. That if any person committed to said house of reformation and industry according to law, shall neglect or refuse to perform the work assigned to him or her, or be guilty of other acts of insubordination, it shall be the duty of the superintendent to punish such person by close confinement, on a diet of bread and water only, or in such manner as the managers may direct, for such time as may be necessary to secure submission, of which the superintendent shall keep a due record, and report to the board of managers.

Penalty for injury to machinery, tools or other property. SECTION 11. That any inmate of said institution who shall wilfully break, destroy or injure any material, machinery, tool, property or thing belonging to said institution, or shall escape therefrom, shall be deemed guilty of a misdemeanor, and upon due conviction thereof before the board of managers, shall be punished by an increase of servitude, to the time for which he or she was committed, of not less than three nor more than six months for each and every such offence; but if charged with any other crime or misdemeanor, shall be tried before the county court having cognizance of such offence, and on conviction, sentence inflicted agreeably to the existing laws.

Superintendent, duty of. SECTION 12. That it shall be the duty of the superintendent to open an account, in a book to be kept for the purpose, with each and every person committed to said institution, charging him or her with all the expenses incurred in the board and clothing, and incidental expenses, and crediting him or her a fair and reasonable compensation for the labor performed by him or her; and if, at the expiration of the term of commitment of any person, it shall appear that the proceeds of his or her labor are

Inmates to be paid for over-work.

more than sufficient to defray the cost of maintenance, and the materials furnished to such person, together with five per centum thereon, the balance, if any, shall be paid to him or her in money; but the board of managers may, at any time during the confinement of any person, when it shall appear that the proceeds of his or her labor are more than sufficient to pay the costs and charges aforesaid, order the surplus, or any part thereof, to be appropriated to the use and maintenance of his or her family.

SECTION 13. That the superintendent shall keep an accurate account of all persons received into the institution, their name, age, place of birth, occupation, habits of life, religious belief, behaviour since received, evidences of reformation, or otherwise, and furnish to the board of managers a quarterly report of the number of persons committed, discharged, sick, dead or remaining in the institution, with the amount of labor performed, evidence of reformation, and such other information respecting the institution, as said managers may deem desirable.

Further duties of superintendent

SECTION 14. That the managers aforesaid shall have power, with the consent of any prisoner, to hire him or her to work and labor, to any person within the state, for any period not exceeding double the unexpired term of his or her imprisonment, upon such terms as may be agreed upon; and such inmate so hired as aforesaid, shall be committed, for the term of such contract, to the custody of such person, under such regulations as the managers may enact, a copy of which shall be furnished to each and every prisoner so hired as aforesaid; may, in case of ill treatment, or a breach of any regulation so enacted, appeal to the nearest magistrate and require the person hiring him, within twenty-four hours, to take him before such magistrate, who shall take such action in the case as justice shall require, by returning such prisoner to said house, or otherwise.

Hiring out inmates or prisoners, relative to.

SECTION 15. It shall be lawful for said board to acknowledge merit in some appropriate manner, and to shorten the term of commitment in special cases of undoubted reformation.

Managers may shorten term of commitment

SECTION 16. That it shall be the duty of the commissioners of Allegheny county to furnish said board of managers with whatever money may be requisite (out of the county treasury) for the purchase of ground and suitable buildings, for the erection or rent of any buildings which may be erected or rented, and whatever may be necessary for the efficient carrying out of the objects contemplated by this act, to wit: In the payment of salaries of persons employed, the purchase of suitable provisions and clothing for the inmates, furniture for the house, with all tools and implements necessary to a profitable employment of all committed: *Provided*, That said commissioners shall not be required to pay any money for such purposes, until the requisition of the board therefor shall have been approved by the court of quarter sessions; and the accounts of said board shall be audited by the auditors of Allegheny county, and published by the board in at least two newspapers of said county.

County commissioners, duty of

Proviso.

SECTION 17. That any person committed to the said house of reformation and industry, by any other authority than the court of quarter sessions of Allegheny county, may apply for a writ of habeas corpus, to any judge of the said court; and upon return thereof, if such judge shall deem there is sufficient reason

Persons committed may apply for writ of habeas corpus.

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for granting the same, he shall enter upon a re-hearing of the evidence, and either discharge the individual, modify or confirm the commitment.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 617.

AN ACT

Relative to the Claim of Jackson Fee.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general is hereby authorized and required to examine the claim of Jackson Fee, of Huntingdon county, for timber and lumber delivered to the supervisor of the Upper Juniata division of the Pennsylvania canal, in the year one thousand eight hundred and fifty-six, and to draw his warrant on the state treasurer for whatever amount may appear to be due to said Fee, which shall be paid out of any money in the treasury not otherwise appropriated.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 618.

AN ACT

Authorizing the Board of School Directors of the borough of Uniontown, in Fayette county, to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the directors of the common schools of the borough of Uniontown, in the county of Fayette, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding ten thousand dollars, for the purpose of paying for the erection and construction of a new school building, or for the purchase of any such building suitable for such school house in said borough; and it shall and may be lawful for the board of school directors of said borough, to secure the moneys so borrowed by bond or bonds, with mortgages upon the real estate belonging to the common school district of said borough, or otherwise, as said directors may direct; and the moneys so borrowed shall be exempt from taxation for a period of five years, unless sooner paid: Provided, That before the directors shall be authorized to borrow the money hereinbefore provided for, the qualified electors of the borough of Uniontown shall decide, by ballot, at the first election for school directors after the passage of this act, whether the said loan shall be made or not; the tickets voted shall be "for the loan," "against the loan," a majority of votes to decide the question.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 619.

A N A C T

To incorporate the Byberry and Andalusia Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jesse Smith, Charles Knight, J. Rodman Morgan, Craig Biddle, Noah Shull, Samuel Naylor, Jacob Eckfeldt, James Rushton, Charles R. King, George Fox, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Byberry and Andalusia turnpike road company, with power to locate and construct a turnpike road on the bed of the present road from Beckley's landing, on the river Delaware, in Bensalem township, Bucks county, to its intersection with the Byberry and Bensalem turnpike, near Watson Comly's, in the Twenty-third ward of the city of Philadelphia. The capital stock of said company shall consist of two hundred shares, at twenty-five dollars each. The company shall be subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided, That* whenever said company shall have finished one or more miles of said road, they shall have power to erect gates and receive tolls, agreeable to the provisions of said act.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 620.

A N A C T

To authorize the Town Council of the borough of Chambersburg to increase the Rate of Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the town council of the borough of Chambersburg may increase the tax in said borough, for borough purposes, not to exceed three mills over the present rate, for the period of five years.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 621.

SUPPLEMENT

To an act to incorporate the Pennsylvania Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the proviso contained in the tenth section of the act, entitled "An Act to incorporate the Pennsylvania fire insurance company," approved January twenty-sixth, one thousand eight hundred and twenty-five, so far as it prohibits any person or persons, either directly or indirectly, from owning more than one hundred shares of the stock of said company, be and the same is hereby repealed.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 622.

AN ACT

To confer on Edward E. Lutz the Rights of a Child born in Lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Edward Everett Lutz, son of J. Gibbons Mills and Mary Elizabeth Lutz, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall take, retain and be entitled to the name of Edward E. Lutz.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 623.

AN ACT

To confer on Horace G. Lutz the Rights of a Child born in Lawful Wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Horace G. Lutz, son of J. Gibbons Mills and Sarah Jane Lutz, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall take, retain and be entitled to the name of Horace G. Lutz.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 624.

A N A C T

To authorize the State Treasurer to pay Robert Young for loss sustained by fire on the line of the Columbia and Philadelphia Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and requested to pay to Robert Young, of Chester county, one hundred and fifty dollars, being amount of damage sustained to wood and timber by fire communicated from locomotive on the Columbia and Philadelphia railroad, Anno Domini one thousand eight hundred and fifty-six: *Provided,* That the auditor general and state treasurer shall examine the said claim, and if satisfied, from the evidence, that it is just, and the commonwealth is legally liable to the amount claimed, then the state treasurer shall pay the same out of any money not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 625.

A N A C T

To abolish the office of Sealer of Weights and Measures in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the office of sealer of weights and measures, so far as it relates to the counties of Cumberland, Clearfield and Perry, be and the same is hereby

LAWS OF PENNSYLVANIA,

abolished: *Provided*, The same shall not take effect until the term of the present incumbent shall expire.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 626.

A N A C T

To authorize the State Treasurer to pay Messrs. A. K. and A. L. Witmer, for Loss sustained in consequence of a Collision on the Columbia and Philadelphia Railroad.

WHEREAS, On the ninth day of October, one thousand eight hundred and fifty-five, Messrs. A. K. and A. L. Witmer, forwarding merchants of Paradise, Lancaster county, had six of their cars broken and greatly injured, and a part of their cargo of coal lost, in consequence of a locomotive and train running into them near Rohrerstown:

And whereas, From testimony produced and laid before the canal commissioners, it was clearly proven that the said A. K. and A. L. Witmer, or their agents, were not at fault in causing said accident, but that the same was solely occasioned by the agents of the commonwealth:

And whereas, It is also proven by evidence taken in commonwealth depositions, that the said A. K. and A. L. Witmer have sustained a loss by damage to cars broken and goods destroyed on that occasion, amounting to six hundred and eighty-two dollars and forty-four cents; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay to Messrs. A. K. and A. L. Witmer, forwarding merchants of Paradise, Lancaster county, six hundred and eighty-two dollars and forty-four cents, being the amount of damages sustained by them in consequence of a collision on the Columbia and Philadelphia railroad, on the ninth day of October, Anno Domini one thousand eight hundred and fifty-five: *Provided*, That said

claim shall first be referred to the auditor general, attorney general and state treasurer, and examined and approved by them.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 627.

AN ACT

Entitled “An Act to authorize the borough of Mechanicsburg, in the county of Cumberland, to borrow money.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the borough of Mechanicsburg, in the county of Cumberland, be and it is hereby authorized and empowered to borrow, in addition to their present indebtedness, the sum of three thousand dollars, the same to be paid within five years from the date of said loan; and for the security and re-payment of the same, to pledge the faith, credit and property of the said borough; and as the evidence of the said indebtedness, the said borough shall have power and authority to execute and deliver their bonds under the seal of the corporation and signature of the president of the council, in sums not less than one hundred dollars; and if the time for the payment of the said bonds be extended, the interest thereof shall be made payable annually or semi-annually, as the council shall determine.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 628.

A SUPPLEMENT

To an act to Consolidate and Amend the Road Laws of the counties of Tioga, Potter, M'Kean and Elk, approved the fourteenth day of April, A. D. 1855.

Owners of unseated lands to work out or cause to be worked out road tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the owners of unseated lands in the county of Potter shall have the same right to work out, or cause to be worked out upon the roads, the road tax assessed upon said lands in pursuance of the third section of the act to which this is a supplement, as is now provided by the existing road laws of this commonwealth for the owners of seated and personal property.

Supervisors, duty of relative to duplicates, &c.

SECTION 2. That it shall be the duty of the supervisors on or after the first day of August of each year, to file their duplicate for so much of the tax assessed upon unseated lands in pursuance of section third and fourth of the act to which this is a supplement, as shall at that time remain due and unpaid in the office of the county commissioners for collection, with other taxes upon unseated land.

Repeal.

SECTION 3. That section sixth of an act to which this is a supplement, so far as it relates to the county of Potter, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 629.

A SUPPLEMENT

To the act incorporating the Tuckahoe and Mount Pleasant Plank Road Company.

Preamble.

WHEREAS, The stockholders of the Tuckahoe and Mount Pleasant plank road company have failed and neglected to elect officers for said corporation at the time and in the manner pre-

scribed by law for holding such annual election, and doubts have arisen as to who, if any persons, are authorized to manage its affairs; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and board of managers of said company who were elected at the last regular annual meeting of the stockholders, and still continue to own stock in the said company, be and they are hereby authorized and empowered to discharge all the duties of president and managers of said company until the next annual election for such officers, and until their successors are chosen, as fully and amply as if they had been duly elected such officers at the time fixed by law for the last annual election thereof; and if the said president or any of said managers have ceased to hold stock in said company, the managers who continue to be stockholders shall have authority to elect a president or managers (as the case may be) in their stead, to serve in like manner.

President and managers, duty of.

SECTION 2. That the president and board of managers thus constituted shall have authority to appoint a treasurer and secretary for the said company, to serve until the next annual election for officers of said company, which said election shall be held at the court house in Harrisburg, on the day fixed by law for that purpose.

Treasurer and secretary.

Election of officers, when held.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 630.

A SUPPLEMENT

To an act supplementary to the act to incorporate the St. Paul's Church, and further purposes, approved March thirty-first, one thousand eight hundred and thirty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever two-thirds of the members of the German religious society mentioned in the twenty-second section of the said supplementary act of March thirty-first, A. D. one thousand eight hundred and thirty-seven, qualified to vote for trustees, shall

consent thereto in writing, the trustees for said society, in lieu of being elected by the lay members, shall be selected or appointed from among the lay members thereof, at the time and in the manner they may therein and thereby order and direct; which said written consent shall be filed in the archives of said society, and shall be binding in law, as though the same were part and parcel of the original charter of said society, approved October fourth, A. D. one thousand seven hundred and eighty-eight; and thereafter said trustees shall be selected or appointed in the mode and manner therein and thereby provided; and any and all laws or parts of laws, inconsistent with the provisions of the act, be and the same are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JAC. TURNEY,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 631.

AN ACT

To authorize the Payment of the Claim of John W. Geary and Israel Painter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized and directed to pay to John W. Geary and Israel Painter, the sum of three thousand and fifty-nine dollars and nine cents, the amount due them on an award of arbitrators, certified by the auditor general and attorney general of the commonwealth, to be paid out of any moneys not otherwise appropriated.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 632.

A N A C T

To authorize the payment of the claim of Emanuel Will, of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and directed to pay to Emanuel Will, the sum of eighty-eight dollars and ninety-three cents, the amount due him for blacksmith work at the out-let lock on the Eastern division of the Pennsylvania canal, for the use of the commonwealth, during the years one thousand eight hundred and fifty-three, one thousand eight hundred and fifty-four, and part of one thousand eight hundred and fifty-five, to be paid out of any moneys not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 633.

A S U P P L E M E N T

To the act to incorporate the Exchange Mutual Insurance Company, approved sixteenth March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Exchange mutual insurance company of Philadelphia shall have power to increase the number of their directors to any number, not exceeding thirty, to be elected as prescribed in the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 634.

A SUPPLEMENT

To an act for the better Preservation of Game, approved April twenty-first,
Anno Domini one thousand eight hundred and fifty-eight.

Killing of certain
kinds of birds,
relative to.

Penalty

To protect cer-
tain kind of
birds, &c.

Penalty

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from June first to September first of each and every year hereafter, it shall be unlawful for any person or persons to shoot, kill, trap or destroy rail birds or reed birds, under the penal sum of five dollars, with costs of prosecution, for each and every offence, to be sued for and recovered before any magistrate in the county in which the offence was committed, one-half of the penalty for the use of the informer, who shall be a competent witness, the other half for the use of the poor in the county in which the offence was committed.

SECTION 2. That from and after the passage of this act, no person shall kill or otherwise destroy any pheasant between the first day of February and the first day of August, or any woodcock between the first day of February and the fourth day of July, or any partridge or rabbit between the first day February and the first day of October in the present year, and in each and every year thereafter, under the penalty of five dollars for each and every offence; and that the second section of the act to which this is a supplement, be and the same is hereby repealed.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 635.

AN ACT

To authorize the Auditor General and State Treasurer to re-examine the account between the Commonwealth and the President, Managers and Company of the Bustleton and Feasterville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the auditor general and state treasurer be and they are hereby authorized to and directed to re-examine the account between the commonwealth and the president, managers and company of the Bustleton and Feasterville turnpike road company, and to re-settle and correct the errors contained therein, according to law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 636.

AN ACT

For the relief of Catharine Keller, widow of Conrad Keller, a Soldier of the Revolutionary War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to Catharine Keller, of Mansfield township, Warren county, New Jersey, widow of Conrad Keller, a soldier of the Revolutionary war, in the Pennsylvania line, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-nine, and payable half yearly thereafter, on the first day of January and July.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 637.

A N A C T

Relative to Supervisors of Public Highways in Jenner township, Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall be lawful for the qualified voters of Jenner township, county of Somerset, to elect three supervisors of the public highways, annually, who shall serve one year: Provided, That the supervisors elected in said township, in March last, shall have and exercise all the powers appertaining to the said office of supervisors, with the same force and effect as if this act had been passed prior to said election.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 638.

A N A C T

To run and define a part of the Boundary Line between the counties of Mifflin and Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Richard J. Proudfoot, of Cambria county, Daniel Sams, of Bedford county, and Daniel Hoffman, of Dauphin county, be and they are hereby appointed commissioners to run and mark that portion of the division line between the counties of Mifflin and Huntingdon, which crosses the Kishacoquillas valley from the summit of Jack's mountain to the summit of Stone mountain, agreeably to the acts of assembly and the supplements thereto erecting said counties and the counties out of which they were taken; and it shall be the duty of said commissioners to lay down on their drafts of said line, all the tracts of land through

Duty of.

which the said line passes, so far as they are able to ascertain the same; and the said commissioners shall make out three drafts of said line, one of which shall be filed in the county surveyor's office of each of said counties, and the other in the surveyor general's office in Harrisburg.

SECTION 2. That the said commissioners shall make out a just *Expenses.* and true account of the time necessarily spent by them in the performance of the duties enjoined by this act, and the number of days spent by chain carriers and axemen assisting them, for which the said commissioners shall each receive three dollars *Compensation.* per diem for each and every day so employed, and for chain carriers and axemen two dollars per day, which amount shall be paid in equal proportions by the county commissioners of said counties of Mifflin and Huntingdon, by warrants drawn on their treasurers, respectively; and on failure of any one of said commissioners to attend, the other two shall have power to appoint.

SECTION 3. That the act, entitled "An Act to establish the *Repeal.* boundary line between the counties of Mifflin and Huntingdon," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 639.

AN ACT

Relative to the Duties of the Port Warden of Philadelphia.

WHEREAS, Frequent obstructions to the safe navigation of the *Preamble* river Delaware and river Schuylkill, within the tide waters thereof, do frequently occur by the sinking of canal boats, barges, and other vessels trading on the said rivers, and there being no adequate remedy to compel the owner, master, or other agents having charge thereof to raise and remove the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of *Duty of master* the master warden of the port of Philadelphia, immediately *warden.* upon information of the sinking of any canal boat, barge, or

Penalty.

other vessel, in the channel way of the tide waters of the river Delaware or river Schuylkill, within the limits of the port of Philadelphia, to give notice to the owner, master, or other agent having charge thereof, to raise and remove such obstruction within ten days after the date of said notice, under a penalty of one hundred dollars, to be sued for and recovered before any alderman or justice of the peace within the limits aforesaid, as by law such sums are recoverable from the owner, master, or other agent having control of the same, to and for the use of the board of wardens of the port of Philadelphia, subject, nevertheless, to an appeal to the court of common pleas of the proper city or county; which said sum or sums so recovered shall be appropriated towards the payment of salaries and contingent expenses of the warden's office; and in cases of the refusal or neglect of the parties interested as aforesaid, to raise and remove any such obstruction within the time specified in said notice, it shall be the further duty of said master warden, to have raised and removed at the expense of the owner, master or agent; and the said canal boat, barge, or other vessel, together with the cargo thereof, shall be subject to a lien in the hands of the said master warden, until the expenses of raising and removing shall be fully paid to him; and the said master warden is hereby authorized to sell at public auction to the highest bidder, for cash, all such property, or so much thereof as is necessary to pay all the expenses of raising and removing, together with the penalty aforesaid, and shall return the surplus, if any, of such sale to such person or persons as shall be legally entitled to receive the same: *Provided*, That the master warden before proceeding to sell any such property as aforesaid, shall give five days' notice by at least twenty hand bills (printed) to be posted in conspicuous places along Delaware avenue, setting forth a full description of any such property to be sold, together with time and place of selling the same.

Proviso

Repeal

SECTION 2. That all laws heretofore passed inconsistent with the provisions of this act, are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 640.

A N A C T

Relative to the Vacating of certain Streets in the city of Philadelphia.

WHEREAS, The streets and parts of streets enumerated in the following act, were originally laid out and dedicated to public use by the proprietor, George Hutton, and have been superseded by streets forming a part of the general plan recently adopted by the city of Philadelphia, and the property holders having petitioned agreeably to this act, and the board of surveyors of the city of Philadelphia having recommended its passage; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Spring, Summer, Winter, Mulberry and Juniper streets, and College avenue, as laid out by George Hutton, in the Twenty-fourth ward of the city of Philadelphia, and so much of Elm, Myrtle, Hutton and Morrison streets, as laid out by said George Hutton, in said ward, as have not been adopted by the said city in its confirmed plan and survey, be and the same are hereby vacated, and the soil therein vested in fee in the adjoining owners.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 641.

A N A C T

To prevent the Hunting of Deer with Dogs in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall be unlawful for any person or persons to run deer with dogs, in the counties of

To prevent the
hunting of deer
with dogs.

Penalty.

Sullivan, Wayne and Dauphin. Any person who shall violate the provisions of this act, shall be deemed guilty of a misdemeanor, and be subject to a fine of twenty dollars, one-half to the use of the informer, and one-half to be paid into the county treasury, to be recovered as debts of like amount are now by law recoverable.

Dogs may be killed.

SECTION 2. That it shall be lawful for any person to shoot or kill any dog or dogs, which may be found running or chasing deer, in violation of the provisions of the foregoing section; and the owner or owners of said dogs shall not recover any damages therefor: *Provided*, That the provisions of this act shall not apply nor extend to the township of Forks, in the county of Sullivan.

Proviso.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 642.

AN ACT

For the relief of Elizabeth Nicely, widow of a soldier in the Indian wars of one thousand seven hundred and ninety, and one thousand seven hundred and ninety-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized to pay to Elizabeth Nicely, of Greene county, Pennsylvania, widow of an old soldier of the Indian wars of one thousand seven hundred and ninety, and one thousand seven hundred and ninety-five, an annuity of forty dollars during her life, payable half yearly, and dating from the first of January, eighteen hundred and fifty-nine.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 643.

AN ACT

Relating to Void Marriages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where a supposed or alleged marriage shall have been contracted, which is absolutely void, by reason of one of the parties thereto having a husband or wife living at the time, the courts of common pleas shall have power to decree the said supposed or alleged marriage to be null and void, upon the application of an innocent or injured party, and the jurisdiction shall be exercised and proceedings conducted according to the principles and forms which are or shall be prescribed by law for cases of divorce from the bond of matrimony.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 644.

AN ACT

To authorize the erection of a Lock-up House in the borough of Wellersburg, Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Wellersburg, Lock-up authorized in the county of Somerset, be and are hereby authorized and empowered to erect a lock-up house in said borough, and appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess, or members of town council of said borough, for any violations of the laws of this commonwealth, or of the ordinances of said borough, for which such person or persons could be lawfully com-

Proviso.

mitted to the common jail of said county, there to be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided*, That no person shall be confined in said house at any one time, for a longer period than forty-eight hours, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

Fees, relative to.

SECTION 2. That the legal fees for the arrests, commitment and safe keeping of any person or persons in said house on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the prosecutor or defendant, or the county of Somerset, as the issue of the case may require and be determined.

Appropriation for erection of.

Appointment of keeper.

Proviso.

SECTION 3. That the burgess and town council of said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house, and shall appoint a proper person to keep said lock-up house, and pay for such services from time to time, whatever the said burgess or town council, or a majority of them, may deem just and proper, said sums to be paid out of the funds of said borough: *Provided*, The cost for the erection of said lock-up house shall not exceed one hundred and fifty dollars.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 645.

A FURTHER SUPPLEMENT

To an act, entitled “An Act to incorporate the North Philadelphia Plank Road Company.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title of the said company shall hereafter be the North Philadelphia Passenger railway company.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 646.

A N A C T

For the relief of Elizabeth Murphy, widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby directed to pay Elizabeth Murphy, of Armstrong county, widow of Jeremiah Murphy, an old soldier, a gratuity of forty dollars and an annuity of forty dollars, for the term of her natural life, to be paid semi-annually, on the first of January and July in each year, commencing on the first day of January, one thousand eight hundred and fifty-nine, when this act is to take effect.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 647.

A N A C T

To increase the Pay of the Supervisors of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall and may be lawful, at the annual settlement of the accounts of Tremont township, Schuylkill county, for the auditors of said township to allow the supervisor of said township such sum or sums as they may deem just and right for his services, not to exceed one hundred dollars.*

Compensation of supervisor of Tremont township.

SECTION 2. That hereafter the supervisor of said Tremont township shall, before entering upon the duties of his office as supervisor, file in the office of the court of general quarter sessions of the peace in and for said county, bond, with warrant of

To give bond.

attorney to confess judgment thereon, in the sum of five hundred dollars.

Relative to compensation.

SECTION 3. That the supervisors of highways in the other townships of the county of Schuylkill, except the township of Butler, shall hereafter receive the sum of one dollar and twenty-five cents per day each, for every day they shall be necessarily employed in the discharge of their duties as supervisors.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 648.

AN ACT

To authorize the State Treasurer to pay Thomas and Henry Bumgardner for loss sustained in consequence of collision on the Columbia and Philadelphia Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Thomas and Henry Bumgardner, coal merchants, of the city of Lancaster, four hundred and forty dollars and eighty-six cents, being the amount of damage sustained by them in consequence of a collision on the Columbia and Philadelphia railroad, on the ninth day of October, A. D. one thousand eight hundred and fifty-five: *Provided,* That before the payment of said claim the auditor general, state treasurer and attorney general, or a majority of them, shall examine the said claim; and if the same shall be found to be correct, the state treasurer shall pay the same, out of any moneys not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 649.

A FURTHER SUPPLEMENT

To the act incorporating the borough of West Chester, and its several supplements, passed the third day of March, seventeen hundred and eighty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of West Chester shall be divided into two or more election precincts; that all that part of said borough lying north of the centre of Market street, in said borough, shall be called North precinct, and shall elect one judge and two inspectors; and all that part of said borough lying south of the centre of said street, in said borough, shall be called South precinct, and shall elect one judge and two inspectors of election: *Provided,* That nothing in this supplement shall divide said borough for other than election purposes; and the officers of election chosen at the last election shall be election officers of the precinct in which they respectively reside at the time of the erection of such precinct, subject to the election laws of this commonwealth.

Borough divided
into two election
precincts.

Proviso.

SECTION 2. That the court of quarter sessions of Chester county shall have power to call special elections to fill the vacancies that may exist in the election offices of such precincts, by reason of such division or divisions, and appoint officers to such vacancies to hold such elections.

Vacancies in
election offices,
how supplied.

SECTION 3. That the court of quarter sessions of said county shall have power to divide each precinct as above erected, into two precincts, whenever a majority of the voters of said precinct, to be divided, shall decide at an election appointed by said court, in favor of such division; and the court house shall be the place of holding the elections for all the precincts.

Division of pre-
cincts by court of
quarter sessions,
relative to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 650.

AN ACT

To establish a Ferry over the Allegheny river, at Freeport, in Westmoreland county.

Ferry authorized SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Conrad Garver, of the county of Westmoreland, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the north and south sides of the Allegheny river, at Freeport, at the places now used as landings, above the mouth of the Buffalo creek, on the Freeport side, and the place now used as a landing on Westmoreland side, on the land of said Garver, and to use the river between said landings as a public ferry.

To be kept in good order.

SECTION 2. That the said Conrad Garver, his heirs or assigns, shall keep the said landings and ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and good and careful ferrymen, who shall attend to the transportation of passengers, et cetera.

May put on a steam ferry boat.

SECTION 3. That the said Conrad Garver, his heirs and assigns, shall have the privilege, if they shall see proper, to put on a steam ferry-boat, for the purpose of transportation of passengers and vehicles between the aforesaid landings.

Tolls.

SECTION 4. That the said Conrad Garver, his heirs and assigns, as a remuneration for the keeping up of the aforesaid ferry-boat and landings, shall receive such tolls as are customary on the Allegheny river for the transportation of passengers and carriages.

Prohibition.

SECTION 5. That it shall not be lawful for any person to establish a ferry for the transportation of passengers or vehicles on the said river within one mile and one-quarter of the said ferry of the said Garver; and any person violating the provisions of this act shall forfeit to the said Garver, his heirs or assigns, the sum of two dollars for each and every passenger transported, and two dollars for each and every carriage or wagon, to be recovered as debts of the like amount are recovered before a justice of the peace.

Penalty.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 651.

A N A C T

Extending the provisions of the fifteenth section of the act of April second, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Rosemont Cemetery Company; relative to Judicial Proceedings, Assessments and Jurors in Columbia and Montour; to a certain State Road; to the Bounty upon Fox Scalps in Luzerne county; to Hunting in certain counties, et cetera," to Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fifteenth section of an act approved the second day of April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Rosemont cemetery company; relating to judicial proceedings, assessments and jurors in Columbia and Montour; to a certain state road; to the bounty upon fox scalps in Luzerne county; to hunting in certain counties, et cetera," be and the same are hereby extended to Wyoming county.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 652.

A N A C T

Relating to the granting of Licenses to Hotel, Inn, or Tavern Keepers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the several courts of quarter sessions of this commonwealth to hear petitions, in addition to that of the applicant, in favor of, and remonstrances against the application of any person applying to either of them, for a license to keep a hotel, inn or tavern, and thereupon to refuse the same, whenever, in the opinion of said court, such inn, hotel or tavern is

not necessary for the accommodation of the public and entertainment of strangers and travelers; and so much of the sixth section of the act of assembly, relating to the sale of intoxicating liquors, passed the twentieth day of April, Anno Domini one thousand eight hundred and fifty-eight, as is inconsistent herewith, is hereby repealed: *Provided*, That the several courts of quarter sessions empowered to grant licenses, shall have and exercise such discretion, and no other, in regard to the necessity of inns and taverns, as is given to said courts by the act relative to inns and taverns, approved eleventh March, one thousand eight hundred and thirty-four: *Provided further*, That nothing in this act shall apply to the city of Philadelphia.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 653.

A SUPPLEMENT

To an act for the better regulation of the Militia of this Commonwealth, approved the twenty-first day of April, A. D. one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it is hereby declared to be the true intent and meaning of the fifth section of the act aforesaid, that the election for the major general shall take place on the first Monday in July, one thousand eight hundred and fifty-nine, and on the first Monday of July in every five years thereafter.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 654.

A N A C T

For the relief of Margaret Coldwater, widow of Philip Coldwater, a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Margaret Coldwater, of the city of Philadelphia, widow of Philip Coldwater, a soldier of the Revolutionary war in the Pennsylvania line, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, A. D. one thousand eight hundred and fifty-nine, and payable half yearly thereafter, on the first day of January and July.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 655.

A S U P P L E M E N T

To an act to Improve the Navigation of the Lehigh River in the counties of Monroe and Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the seventh section of an act, entitled "A supplement to the act incorporating the Luzerne and Schuylkill railroad company; relative to the Upper Lehigh navigation company," &c., approved the fifth day of May, A. D. one thousand eight hundred and fifty-two, and the act, entitled "A further supplement to the act incorporating the Upper Lehigh navigation company," passed March fourteenth, one thousand eight hundred and forty, approved the twenty-seventh day of April, A. D. one thousand

LAWS OF PENNSYLVANIA,

eight hundred and fifty-five, be and the same are hereby repealed: *Provided*, That no suits now pending in the counties of Luzerne or Monroe shall in any manner be affected by this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 656.

A N A C T

Relative to the Claims of Roger C. Magill and Magill and Cross.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general is hereby authorized and required to examine the claims of Roger C. M'Gill and M'Gill and Cross, of Huntingdon county, for castings delivered to the supervisors of the Upper Juniata division of the Pennsylvania canal, in the year one thousand eight hundred and fifty-seven, and to draw his warrant on the state treasurer for whatever amount may appear to be due to the said M'Gill and M'Gill and Cross, which shall be paid out of any money in the treasury not otherwise appropriated: Provided, That the said amount shall not exceed the sum of two hundred dollars.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 657.

AN ACT

Relating to the Widening of Virgin Alley, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the application of any ten citizens of Pittsburg, setting forth that it is necessary for the convenience of the public, that Virgin alley, in the said city, or any part thereof, should be widened, and stating distinctly the improvement contemplated, with a plan thereof, accompanied by a bond in such amount and with such sureties as may be approved by the court, conditioned for the payment of any costs which may be imposed upon such applicants, under the provisions of this act, it shall be the duty of the district court of Allegheny county to appoint a time (not less than one, nor more than two months thereafter) when said court will, upon evidence of the notice required by this act, having been given, appoint five disinterested citizens of said city, as viewers, to determine upon the necessity of such improvement.

Virgin alley.
relative to
widening of.

Appointment of
viewers.

SECTION 2. That after notice of their appointment has been given, as hereinafter provided, the viewers aforesaid shall proceed to examine the ground or location where it is desired such improvement shall be made; and in case said viewers deem such improvement necessary, cause to be prepared by the recording regulator, or such other officer of said city as may perform the duties usually performed by a recording regulator, (or in case the court should deem him interested, by some other competent person,) a plan or plans of such proposed improvement, designating thereon the buildings, lots or pieces of ground which would be taken in whole or in part, by carrying into effect the improvement applied for, with the names of the owners thereof, so far as the same can be ascertained, and also the amount of damage which will be occasioned to each of such owners, (after making reasonable allowance for all benefits accruing, if any, to such owners, from such contemplated improvement,) by carrying out the application of the petitioners; and the viewers aforesaid shall decide whether said proposed improvement is necessary for public convenience, and report thereon to the court, within three months after their appointment, accompanied, in case they report in its favor, with said plan and their estimate of the expense of such improvement.

Duty of.

Plan of proposed
improvements.
relative to.

Viewers to make
report.

SECTION 3. That should the viewers aforesaid believe that the convenience of the public requires an alteration in the plan of the applicants, or that substantially the same advantages may be obtained at a less expense, by such change, they shall prepare a plan thereof, with an estimate, as required in the preceding section, and make report to that effect, due notice of which shall be given.

Alterations in
plan of appli-
cants, relative to

Report of viewers SECTION 4. That after due notice given of the filing of any such report, unless the court shall, upon exceptions filed, set aside the same, it shall be confirmed by the court; and if said report shall be to the effect, that the improvement applied for is necessary for public convenience, whether with or without alteration from the plan proposed by the applicants, said report shall be conclusive as to the necessity for such proposed improvement and the amount of damage resulting to any owner of property from causing the same to be made.

Appointment of appraisers and their duties. SECTION 5. That whenever a report of viewers favorable to any such improvement is confirmed by the court, it shall be lawful for said court, on notice given according to this act of the time fixed for such appointment, to appoint three disinterested citizens as appraisers, who shall view and examine the ground where such contemplated improvement is to be made, and the property to be benefitted thereby, and apportion and assess the amount of damages heretofore mentioned upon and among the owners of property so to be benefitted, in proportion to the amount of such benefits, fairly and equitably, and shall make report thereof to the court; and if the owner of any lot or lots so to be benefitted cannot be ascertained, they shall designate such lot in their report by the number thereof, or by reference to the lots adjoining the same, and such assessment and report shall be accompanied by a plan, to be made as provided for in the second section of this act, designating the lots so declared to be benefitted, with the owners' names, so far as ascertained, and the amount assessed upon each: *Provided*, That if said viewers report that no damage will be done to any owner of property by carrying out said proposed improvement, or that reported favorably by said viewers beyond or above the benefits accruing to him therefrom, no assessors shall be appointed; but on confirmation of said report, the court shall direct the same to be opened, as is hereinafter provided in cases where damages assessed have been paid into court.

Proviso.

Report of assessors to be a lien upon property adjudged to be benefitted. &c. SECTION 6. That after due notice given of the filing of the report of the assessors, unless the court shall, upon exceptions filed, set aside the same, such report shall be confirmed by the court, and entered and recorded at large upon the docket thereof, and the name of each person upon whom or upon whose property an assessment is made, shall be properly indexed by the prothonotary; and such assessment and apportionment, on the confirmation of such report by the court, shall bind and conclude all parties owning or claiming to own the property so adjudged to be benefitted, and the sums so assessed shall be and remain a lien upon the property so adjudged to be benefitted as aforesaid, until the same (together with the proper costs) shall have been paid into court, or tendered to the persons entitled to receive the same; and if the several amounts so assessed shall not have been paid within one year after the confirmation of such report, the same (with interest and costs) shall be collected in the manner provided in the fourth section of an act extending Pennsylvania avenue, in the city of Pittsburg, to the intersection of Ross and Fifth streets, approved the fourth day of May, in the year of our Lord one thousand eight hundred and fifty-seven; and the solicitor of said city shall collect the same, and be com-

Amounts assessed, how paid and collected

pensated therefor in the manner provided for collecting damages, interest and costs, in the sixth section of said act.

SECTION 7. That as said damages are paid into court, or collected as aforesaid, the moneys so paid or collected, shall be paid to the parties entitled thereto, or deposited in such incorporated bank, subject to the further order of the court, as said court may from time to time direct. Damages, how disposed of.

SECTION 8. That before any party entitled to compensation for property taken or damaged by such improvement, shall have received the amount awarded him, he shall deliver possession of such property to the proper authorities of said city, and under the direction and superintendence of the street commissioner, or other officer authorized by councils of said city to direct or superintend the same, all obstructions shall be removed from so much of such lot or piece of ground, as may be required to carry into effect the improvement confirmed by the court as aforesaid; and when all those so entitled to compensation have received the same, or have devoted to public use the several pieces of ground necessary to carry into effect the report of the viewers aforesaid, then those owners of property to whom no damages have been awarded, shall throw open to public use, in the same manner, so much of their several lots or pieces of ground as may be required as aforesaid. Persons entitled to compensation for property, duty of.

SECTION 9. That when the whole amount necessary to pay damages due shall have been collected, or paid into court for distribution, the court shall declare said improvement as confirmed by the same, a public highway, after notice as hereinafter provided, and direct the same to be opened as such in accordance with the plan filed by the viewers, under the direction and superintendence of the proper officer. When an improvement to be declared a public highway.

SECTION 10. That the viewers and assessors appointed by virtue of this act, shall hold at least one public meeting for the hearing of parties interested, and may administer oaths or affirmations to witnesses, and examine them touching the matters of which said viewers or assessors are directed to inquire; and of such meeting notice shall be given. Meeting of viewers to hear parties interested

SECTION 11. That the viewers and assessors shall be sworn to perform their duties with fidelity, and the action of a majority of them shall be as valid as if performed by all, nor shall any of them be considered interested because of his being a tax payer in said city, or because of any such improvement being convenient to him in common with other citizens of said city; the court may fill any vacancy caused by the death or resignation of any viewer or assessor, or otherwise; each viewer and assessor shall receive two dollars for each day necessarily occupied in the performance of his duties under this act, and his account shall be approved by the court before payment. Viewers and assessors to be sworn.

SECTION 12. That when exceptions are filed to the report of viewers or assessors, the court may examine witnesses, or direct their depositions to be taken in relation thereto, or may in its discretion order an issue of fact, to be tried by a jury on the party or parties, excepting making oath or affirmation that injustice will be done by the confirmation of such report; and the court may set aside a report, or any part thereof, if it consider equity requires it, and order a re-view or re-assessment in whole Vacancies, how supplied.

Exceptions to report of viewers or assessors, relative to.

or in part upon such notice as the said court may deem just, and may confirm or set aside such re-view or re-assessment in the same manner as the original view or assessment.

SECTION 13. That said court may on the days or times fixed for doing or performing any of the things to be done or performed under this act, adjourn the same to any other day or time, and order notice thereof to be given by publication, or otherwise, as it may deem proper.

Copies of plan of improvement, where filed.

SECTION 14. That the recording regulator of said city shall file in his office copies of plans of any improvement confirmed by the court, for the inspection of such citizens as may desire to inspect the same.

Publication of notices, relative to.

SECTION 15. That all notices required to be given by this act, shall be published in two newspapers printed in the city of Pittsburg, authorized to do the public printing of said city, or in the daily newspaper having the largest *bona fide* circulation therein as follows, to wit: Of the application and time fixed for the appointment of viewers, two weeks; of the appointment, one week; of the filing of the report, or of any alteration reported by the viewers, two weeks; of the amount assessed as damages having been paid into court, one week; of the first public meeting of viewers for hearing parties interested, one week; of any further hearing, unless said viewers shall have adjourned for one day only, one day; and notice shall be given in like manner of the time when assessors are to be appointed and of the filing of their report and meetings.

Costs upon proceedings, how and when paid.

SECTION 16. That in case the viewers shall report against the necessity of the improvement asked for, unless they report favorably on an alteration thereof, the costs of the whole proceedings up to the time of the confirmation of such report, including all notices published, shall be borne by the applicants; but if such improvement, or any part thereof, should be reported upon favorably by the viewers, and such report be confirmed finally by the court, then the costs shall be paid by the parties benefitted, in proportion to the amount finally assessed upon each, and shall be a lien upon the property benefitted, in like manner as the damages so assessed against the same; but the court may order who shall pay the costs arising from any exceptions filed in any proceedings under this act.

Lessees of property, relative to damages.

SECTION 17. That the viewers and assessors herein provided for shall assess and make return of loss or damage to any lessee of property injured by such improvement, in case such lessee's lease shall exceed one year from the time of their appointment, and such damage or loss shall be collected in the same manner as other damages assessed under this act.

Road laws to be applicable in certain cases.

SECTION 18. That all matters not fully provided for in this act, shall be governed by the road laws of this commonwealth, so far as the same are applicable, and not inconsistent herewith.

Proceedings upon confirmation to be stayed upon request of councils.

SECTION 19. That should the councils of said city, after the filing, and previous to the confirmation of the report of any viewers appointed under the provisions of this act, favorable to any such improvement as is contemplated in this act, request the same, all proceedings consequent upon any confirmation thereof shall be suspended until councils declare they have no objection to such proceedings being continued; but in case councils do

not so declare within three months after the confirmation of any such report, the costs which shall have accrued shall be paid by said city.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 658.

AN ACT

To divide the township of Wilkesbarre, in the county of Luzerne, into two Wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the territory now included within the bounds of the township of Wilkesbarre, in said county of Luzerne, be and the same is hereby divided into two wards, as follows, viz: Beginning at the junction of Canal and South streets, in the borough of Wilkesbarre; thence by a line running the same direction as said South street to the canal; thence down said canal to the southerly line of the Empire company's land; thence by said line of said lands until it reaches the Wilkesbarre and Easton turnpike road; and thence by said turnpike road to the back line of said Wilkesbarre township; all north of said road or turnpike and line of lands to be the North ward, and all south of said line to be the South ward, each of said portions of territory to be a distinct ward.

Township divided into two wards.

SECTION 2. That each of said wards shall constitute and form a separate election district, and the qualified electors therein shall, whenever necessary, vote for and elect for each ward one justice of the peace, one constable, one assessor and two assistant assessors, one supervisor, one overseer of the poor, one school director annually, so as after the present board of directors are out of office, to give three directors to each ward, one judge and two inspectors of election, to serve for the terms specified by law; and shall, together with the electors of the other ward, vote for and elect one township auditor, to serve for three years, or to fill a vacancy, should any occur, in the board of auditors, which elections shall be held at the places hereinafter mentioned, on the third Friday of March next, and at the same time in each and every year thereafter, by the officers

Each ward a separate election district.

Officers to be elected.

Proviso.

elected or appointed for such purposes, returns of said elections to be made as now provided by law: *Provided*, That one return judge from each ward shall meet together, at the house of Charles Holcomb, in said South ward, on the day after such election, and then and there add together the votes for auditor in both wards, and give certificate, as now required by law; the person having the plurality of all the votes given in both wards being returned as duly elected: *Provided further*, That the justices of the peace now commissioned and acting shall continue to hold their offices during the continuance of such commissions, respectively, or until a vacancy occur by resignation or otherwise.

Proviso.

Elections, when held.

SECTION 3. That the general and ward or township elections within said township shall hereafter be held at the following places, viz: In the North ward, at the school house in the Gruver district, and in the South ward at the public house now occupied by Charles Holcomb.

Officers of elections.

SECTION 4. That the following named: S. C. Montanye as judge, and Christian Gruver and J. A. Rippard, as inspectors, shall be the officers to hold the township or ward and general elections in the said North ward, and Charles B. Price as judge, and John W. Hortan and Reuben Franks as inspectors, shall be the officers to hold the township or ward and general elections in the South ward until other officers be duly elected in said ward.

Repeal.

SECTION 5. That the fifth section of the act of twelfth May, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to divide the borough of Wilkesbarre, in the county of Luzerne, into two wards," be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 659.

SUPPLEMENT

To an act to incorporate the City Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the proviso annexed to the act, entitled "An Act to incorporate the City Bank of Philadelphia," approved the thirtieth day of March, one thousand eight hundred and fifty-five, be and the same is hereby repealed, and that said bank may hereafter be located in any part of the city of Philadelphia: *Provided*, That said bank shall not be located more than eight squares from its present location; nor shall this act be so construed to give said bank the right to change its location more than once.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 660.

A N A C T

Relative to the Claim of Burke and Gonder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, state treasurer and attorney general are hereby appointed commissioners to examine the claim of Burke and Gonder, contractors on the Allegheny Portage railroad, for work and labor done, and materials furnished, on section seventeen of said road, and report the facts, together with the testimony taken, to the next legislature.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 661.

A N A C T

Authorizing the Auditor General to issue a certificate for the amount of the Claim due to Barbara Hileman's Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be and he is hereby directed to issue a certificate to the state treasurer to pay to David Stewart, administrator of Barbara Hileman, the sum of sixty-eight dollars and sixty cents, being the amount of a claim which was considered, passed and allowed by the board of canal commissioners, in one thousand eight hundred and thirty-seven, and for which no certificate was issued by the said board prior to its abolishment.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 662.

A N A C T

In relation to the Election of Trustees, et cetera, of the Proprietors School Fund, in the township of Plains, Luzerne county.

WHEREAS, That portion of the township of Plains, which was formerly a part of Wilkesbarre township, in Luzerne county, is entitled to a part of the proprietors school fund, of what was old Wilkesbarre township, but under the present law they are not entitled to elect officers to take charge of their portion of said fund; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall be lawful for the proprietors of said fund, in said township of Plains, at the times and in the same manner as in the township of Wilkesbarre, to hold elections and elect*

three persons to be trustees, one person to be clerk, and one person to be treasurer of the proprietors school fund aforesaid, and to take charge of, and manage the same according to law; that until the first election aforesaid, it shall be lawful for James S. Searle, Thomas Stucker and John Stark to act as such trustees, and P. R. Johnson to act as such clerk, and Calvin Parsons to act as such treasurer, with all the powers and subject to all the conditions, restrictions and liabilities as if regularly elected as aforesaid.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 663.

AN ACT

Requiring Supervisors of Roads and Overseers of the Poor in the county of Northumberland, to give Security.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the township auditors and borough councils to require the overseers of the poor and the supervisors of roads in each township and borough in the county of Northumberland, before entering upon their duties, to give bond, with security, to be approved by the auditors or borough councils, in a sum not less than double the probable amount of the tax which may be levied by the said officers for the ensuing year, which bonds shall be taken in the name of the auditors and borough councils, and their successors in office, for the use of such borough or township, conditioned for the faithful performance of their respective duties as supervisors and overseers of the poor, accounting for and paying over to their successors in office, any balance that may remain in their hands at the settlement of their accounts by the aforesaid auditors or borough councils; and in case the said officers shall neglect or refuse to pay over said balance remaining in their hands within thirty days after the settlement, it shall be the duty of the said auditors and borough councils holding the bonds, to proceed by due course of law to collect the same for the use of said township or borough: *Provided,* Overseers of the poor and supervisors to give bond &c., *Provided,* That each officer may give security, individually, in double the

amount of such sum as may in the judgment of the auditors come unto his hands for the ensuing year, and in such case he shall not be accountable for the acts of his associate in office.

Office declared
vacant on failure
to give bond.

SECTION 2. That any officer or officers failing to give the security required by the first section of this act, within one month after his election, then his or their offices shall be declared vacant, and the court of quarter sessions shall appoint one or both, as the case may be, subject to all the restrictions of the first section of this act, and who shall hold his office till the next election; and until such appointment is made the officer giving bail shall act for both, and if both fail to give the required security, then the preceding officers shall perform the duties as heretofore, until such appointment is made by the court in accordance with the provisions of this act.

Vacancies, how
supplied.

Duty of over-
seers and super-
visors upon peti-
tion of ten or
more tax payers.

SECTION 3. That upon the petition of ten or more tax payers of any township or borough, supported by the oath or affirmation of two or more of said petitioners, requiring the said overseers, supervisors, or borough councils to perform any act therein set forth relating to any such township or borough, setting out reasons therefor to the court of common pleas, shall, in their discretion, upon the sufficiency of the reasons set out in said petition, require such overseers of the poor and supervisors to perform said duties, and may require other or additional security, and may appoint special auditors for any township or borough so petitioning to revise, re-state and re-settle the accounts, and make report of any and every requirement of the provisions of this act, in accordance with the order of court filing the same in the office of the clerk of quarter sessions, and if approved by the court shall be final and conclusive, and proceedings thereon shall be granted by said court according to law.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 664.

AN ACT

To authorize the Ministers, Trustees, Elders and Deacons of the German Reformed Congregation, in the city of Philadelphia, in the Province of Pennsylvania, to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the ministers, trustees, elders and deacons of the German Reformed congregation, in the city of Philadelphia, in the province of Pennsylvania, be and the same are hereby authorized to grant, bargain and sell, lease, release, convey and confirm to such person or persons, and for such consideration, price or prices, as they may deem proper, all or any part of their four certain contiguous lots of ground, situate in the city of Philadelphia, and described as follows: Beginning on the south side of Green street ninety-seven feet ten inches eastward from the east side of Sixteenth street; thence eastward along the south side of Green street eighty feet; thence southward parallel with Sixteenth street one hundred and ninety-one feet six inches to Centre street; thence along Centre street westward eighty feet; thence northward parallel with Sixteenth street to the place of beginning; and that the vendee or vendees of said property be and they hereby are vested with the fee simple title of, in and to the same, to them, their heirs and assigns, forever.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 665.

A N A C T

To incorporate the Home and Foreign Bible Society of Western Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* D. H. A. MacLean, George C. Vincent, William Findley, Will A. Lare, Thomas W. Wright and A. C. H. Cox, their associates and successors, be and they are hereby created a body corporate and politic in law, by the name, style and title of the Home and Foreign Bible society of Western Pennsylvania, to be located in the county of Allegheny.

SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each: *Provided, That* said company shall have power, by a vote of the stockholders convened for that purpose, to increase their capital stock as much as, in their opinion, shall or may be deemed necessary by

them to carry out the full and true intent and meaning of this act.

Real and personal estate.

SECTION 3. That said company shall be authorized to acquire, hold and convey such real and personal estate as is necessary for the transaction of its business.

Publication of books, &c.
Proviso.

SECTION 4. That said company shall have the right to publish editions of the Holy Bible, and other books and serials, in the English and German language: *Provided*, The same shall be printed and published only in the county of Allegheny.

Seal.

SECTION 5. That the said company shall make and have a common seal, and the same to alter and renew at pleasure; and also shall have power to ordain, establish and put in execution such by-laws, as a majority in interest of the stockholders may agree on, as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and generally to do all and singular the matters and things which to them it shall lawfully appertain to do, for the well-being of said corporation, and the due ordering and managing of the affairs thereof.

By-laws.

May issue bonds.

SECTION 6. That said company shall have power to raise on their bonds, or other security, any sum of money not exceeding one-half their capital stock, for the purpose of carrying out the true intent and meaning of this act: *Provided*, No bond shall be issued for a sum less than one hundred dollars.

Proviso.

Courts authorized to change name, &c.

SECTION 7. That on application of a majority in interest of the stockholders of said company, to any district court or court of common pleas in this state, they are hereby authorized to change the name of said corporation to that desired by said majority in interest of the stockholders; under which name, so established by court, they shall have perpetual succession, with all the powers conveyed to them by this act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 666.

A N A C T

To authorize the investigation of the Claim for Damages of Dennis M'Donald.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, auditor general and state treasurer be authorized and are hereby required to examine into the claim for damages of Dennis M'Donald, alleged by him to have been sustained by reason of the abandonment and discontinuance of the work on the Sinnemahoning line of the West Branch canal, by order of the canal board, in consequence of the failure of appropriations to prosecute the same, shortly after he had commenced work thereupon; and if they find that he sustained loss in commencing the work, in erecting necessary buildings, and in purchasing tools, furniture and provisions, and that such damage was sustained by him by reason of the abandonment of said work by the canal board, then to report the amount of damage so sustained, and the facts connected therewith, to the next legislature.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 667.

A N A C T

Relative to a Ferry at or near Ulster, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to establish a ferry over the river Susquehanna, at or near Ulster, in Bradford county, approved the twenty-seventh day of March, one thousand eight hundred and fifty-five, and

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the several supplements thereto, approved, respectively, May five, one thousand eight hundred and fifty-five, and March twenty-four, one thousand eight hundred and fifty-six, be and the same are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 668.

AN ACT

Relating to Estates Tail.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any final judgment or decree in partition, or sale of real estate under order of the orphans' courts or other judicial sale, shall bar an estate tail with like effect as if the same had been barred by fine or common recovery, or by deed, according to an act of assembly, entitled "An Act to facilitate the barring of entails," passed sixteenth January, one thousand seven hundred and ninety-nine, and the person to whom the real estate is decreed or the purchaser thereof shall take an estate in fee simple.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 669.

A N A C T

To authorize the Butler House Hotel Company to change their corporate name, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Butler House hotel company be and they are hereby authorized to change the corporate name of said company, and to select any other in lieu thereof, and upon such change being made, to file a certificate thereof, and of the name so selected, in the office of the recorder of deeds in and for the city of Philadelphia; and thereafter the said corporation shall be known by the name so substituted and chosen, and shall further have authority to let or lease, as stores, any portion of the building now being erected by them at the south-east corner of Chesnut and Ninth streets, in the city of Philadelphia.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 670.

A S U P P L E M E N T

To the act to incorporate the Middle Coal Field Tunnel and Railroad Company, approved the eighth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Middle Coal Field tunnel and railroad company, which expired on the twenty-second day of April, one thousand eight hundred and fifty-seven, in consequence of failure to pay the enrolment tax, be and hereby is revived: *Provided,* Charter revived

Proviso.

That the enrolment tax thereon shall be paid within sixty days from the passage of this act.

Corporators.

SECTION 2. That the following named persons be and they are hereby constituted and appointed corporators, in the place and stead of the corporators named in said charter, to wit: Allen Fisher, Z. P. Boyer, Henry Fry, Jacob Kohler, Menden F. Ludwig, John D. Deibert, Joseph M. Schuyler, George L. Huntzinger.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 671.

A N A C T

Repealing an act declaring Big Sandy Creek a Public Highway, passed twenty-sixth March, one thousand eight hundred and thirteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act declaring Big Sandy creek a public highway," passed the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and thirteen, the said Big Sandy creek a public highway, for the passage of boats, rafts and other vessels, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 672.

A SUPPLEMENT

To an act authorizing the Courts of Common Pleas to Change the Name of Persons, approved the ninth day of April, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the first section of the act approved April ninth, Anno Domini one thousand eight hundred and fifty-two, authorizing the courts of common pleas to change the name of persons, are hereby declared to be, that whenever, in pursuance of the said section, a decree is made changing the name of any one who is at the time thereof the parent of a minor child or children, then under the care of such parent, the new name of such parent shall, thereafter, be borne likewise by such minor child or children: *Provided,* That such minors, on attaining their majority respectively, shall also be entitled to the benefits of the said act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 673.

SUPPLEMENT

To an act to authorize the erection of a Poor House by the township of Jenkins, borough of Pittston and township of Pittston, in the county of Luzerne, approved May eighth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John D. Stark, of Pittston township, M. L. Everitt, of Pittston borough, and Joseph P. Schooley, of Jenkins township, be and are hereby constituted directors of the poor in the borough and

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townships named in the act to which this is a supplement, with all the powers and duties mentioned in the said act, and to continue in office till the annual March election, in the year eighteen hundred and sixty-one.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 674.

A N A C T

Relative to the Claim of Samuel M'Pherin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general is hereby authorized and required to examine the claim of Samuel M'Pherin, of Huntingdon county, for labor done on the Upper Juniata division of the Pennsylvania canal, in the years of one thousand eight hundred and thirty-nine, and one thousand eight hundred and forty, and to draw his warrant on the state treasurer for whatever amount may appear to be due to said Samuel M'Pherin, which shall be paid out of any money in the treasury not otherwise appropriated: *Provided,* The amount shall not exceed two hundred and fifty dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 675.

AN ACT

To incorporate the Preachers Aid Society of the First Methodist Protestant Church of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William B. English, John Atwell, Wm. Scholey, Henry Palmer, Corporators. Hugh Wightman, Edward Moore, Charles Craig, John H. Garrard, John L. Sands, and others, members of the First Methodist Protestant church in the city of Pittsburg, be and they are hereby erected into one body politic and corporate, by the name and style of the "Preachers Aid society of the First Methodist Style. church of Pittsburg," with all the powers and authorities inci- Powers. dent to similar corporations for benevolent purposes: *Provided,* That the clear yearly income from all real and personal estate Proviso. belonging to said corporation, shall at no time exceed the sum of five thousand five hundred dollars; and the within named corporators shall constitute the first board of managers until the first regular election.

SECTION 2. That said corporation shall consist of all such Who may become persons as may subscribe the constitution or charter of said so- members. ciety, and thereafter pay into the treasury the sum of fifty cents per annum; and the payment in gross at any one time of the sum of ten dollars, shall entitle the person so paying, or for whom the same is so paid, to membership therein for life: *Pro-* Proviso. *vided,* That all voting members of the First Methodist Protes- tant church in the city of Pittsburg, shall be considered members of this corporation, and entitled to vote for managers.

SECTION 3. The government of said corporation shall be vested Government ves- in a board of nine managers, chosen from the male members of ted in a board of the First Methodist Protestant church in the city of Pittsburg, managers. not under the age of thirty years, and not more than three of whom shall be members of the board of trustees of the church corporation, three of which managers to be chosen annually; How chosen. which board of managers shall have full power and authority to elect out of their own number a president, secretary and Officers. treasurer; to declare what amount of delinquency on the part of said officers shall constitute sufficient grounds for vacating their places; to make and establish all necessary rules and by- By-laws. laws for the management and regulation of the affairs of the corporation, not inconsistent with the constitution and laws of this state or of the United States, or of this charter; five members shall constitute a quorum for the transaction of business.

SECTION 4. Meetings of the members at large of said corporation for the election of managers, shall be held in the First Election, when Methodist Protestant church in the city of Pittsburg, on the first and where held. Monday in October in each year, of which timely notice, not less than two weeks, shall be given by the president of the board of managers, by a notice to be read in the hearing of the

congregation at the usual hour of public services, on two successive Sundays; a failure to elect at the time appointed shall not work a dissolution of the corporation, but said election may take place at a subsequent meeting called in manner aforesaid, or after similar written notice, signed by any ten members of the corporation; ten members shall constitute a quorum; regular quarterly meetings of the board of managers shall be held on the second Mondays of October, January, April and July in each year; extra meetings may be provided for in the by-laws; immediately after the first regular election of managers, those then elected shall be divided into three classes of three each, the term of one of which classes shall expire in one year; of another in two years; and of another in three years; and thereafter three managers shall be elected annually, to serve for three years.

Failure to elect,
relative to.

Quorum.

Regular meet-
ings, when held,
&c.

Managers to be
divided into
classes.

Object.

SECTION 5. The object of said corporation shall be to assist the superannuated and disabled itinerant ministers and preachers of the Pittsburg conference of the Methodist Protestant church, and the widows and orphans of such itinerant ministers and preachers as shall have been members of said conference at the time of their decease.

Funds to be paid
over to the cor-
poration, and by
whom, &c.

SECTION 6. It shall be lawful for the Preachers' Aid society of the Methodist Protestant church of Pittsburg, and the church corporation of the First Methodist Protestant church in the city of Pittsburg, to pay over to the corporation created by this act any and all funds, money and property held or received by them respectively, in trust, for the objects set forth in the foregoing section, which funds, money and property, together with all such as may be hereafter received from the subscriptions of life members, donations, bequests, legacies and devises, shall constitute a permanent fund, never to be diminished by appropriations or otherwise, but securely and profitably invested from time to time, and the income thereof, together with any sums received from annual subscriptions, shall alone be at the disposal of the board of managers for appropriations to the objects aforesaid.

How money to be
drawn from trea-
sury.

SECTION 7. No money shall be drawn from the treasury but after an appropriation by the board of managers at a regular quarterly meeting, or an adjournment thereof, and then only by orders on the treasurer, signed by the president and countersigned by the secretary.

Treasurer to give
security.

SECTION 8. The board of managers may, by by-law or otherwise, require such security from the treasurer as may be deemed sufficient, and an exhibition of his books and statement of his accounts at all times, upon reasonable notice. The board of managers shall make report of their proceedings, and present a detailed written account of their receipts and disbursements to each annual meeting of members, and at such other reasonable time as shall be required of them by a meeting of the members, called in manner aforesaid.

Managers to
make report.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 676.

A N A C T

To incorporate the Union Association and Reading Room.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William V. Wicht, Cadwalader Wickersham, C. F. Hagedoon, Oliver Fuller, Godfrey Freytag, William R. Wister, Francis M. Drexel, Spencer H. Hazard, Charles Vezin, J. Dorsey Bald, Hugo Wesendonck, George Northrop, and their associates, be and they are hereby created a body corporate and politic, with the name, style and title of the Union association and reading room, with authority to elect officers, to establish by-laws for their government, and to hold real estate, the yearly value of which shall not exceed six thousand dollars: *Provided, That* nothing herein contained shall be so construed as to authorize said Union association and reading room to do any other act or acts, in their corporate capacity, than are herein expressed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 677.

A N A C T

To incorporate the Manayunk Market Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George Shields, John F. Preston, Bernard M'Cane, S. A. Rudolph, John Bromley, George W. Davis, John Conry, James Morrison, Patrick M'Glinchey, James Shaw, Joseph Ripka, William M'Glinchey, John P. Thompson, John Adams, Thomas Stanley, Ezekiel Shur, John Mallinson, Edward Strouse, James Bowker, James Davis, Thomas Ellis, John Harris, Jr., Joseph

S. Peterman, John Bowker, J. T. Ogle, William Dawson, (merchant,) Thomas Armitage and William Adams, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Manayunk market company, in the Twenty-first ward, city of Philadelphia, with a capital stock not exceeding thirty thousand dollars, divided into one thousand shares of thirty dollars each; and said company shall have and enjoy all the privileges and immunities, and be subject to all the limitations and restrictions contained in an act to incorporate the Franklin market company of Philadelphia, approved February twenty-fourth, one thousand eight hundred and fifty-nine, so far as they are applicable thereto: *Provided*, The market house of said company shall be located in the late borough of Manayunk, in the Twenty-first ward of the city of Philadelphia.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 678.

AN ACT

For the relief of Andrew Heintzelman, Daniel Mickley and Peter Mickley, of the county of Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general and attorney general are hereby authorized and empowered to investigate the claims of Andrew Heintzelman, Daniel Mickley and Peter Mickley, of Adams county, for damages occasioned by the Gettysburg extension of the Pennsylvania railroad having been laid out and constructed through their lands, and report the same to the next legislature.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 679.

AN ACT

To increase the Pay of the Collectors of State and County Tax in the several Townships and Boroughs of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That annually hereafter the collectors of state and county taxes in the several townships and boroughs in said county, shall be allowed as their compensation for collecting said taxes, five per centum of the amount of taxes collected by them during each and every year; and that all existing laws inconsistent with, or supplied by this act, are hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 680.

AN ACT

Authorizing the Pennsylvania Railroad Company to obtain a better supply of Water for the uses of their road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Pennsylvania railroad company to enter upon any lands adjacent to the railway of said company, or to any of the real estate owned or occupied by said company, for the purpose of obtaining a supply of water for the uses of said road, its machinery, shops, water stations and depots, and of any other property owned or occupied by said company.

Relative to obtaining a supply of water.

SECTION 2. In the event of an inability to agree as to the price or value to be paid for the use of such water, and of such land as may be required to be occupied for the conducting of the same to the premises of said company, it shall be lawful for said company, or for the owners of such property, to cause to be in-

Compensation for water and land, relative to.

Proviso.

stituted such proceedings as are prescribed by the fourth section of a further supplement to an act to incorporate the Pennsylvania railroad company, passed April thirteenth, one thousand eight hundred and forty-six, approved March twenty-seventh, one thousand eight hundred and forty-eight, the provisions of which supplement are hereby extended to all such cases: *Provided*, That said railroad company shall have no power to take any water from any spring, well or stream of water used by any owner or occupant of real estate at any dwelling house, brewery, distillery, or any other manufacturing establishment, barn or stable, without first obtaining the consent of such owner in writing.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 681.

A SUPPLEMENT

To an act to provide for the due training of Teachers for the Common Schools of the State, passed on the twentieth of May, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

When certain act
to go into opera-
tion.

as soon as a Normal school, such as is contemplated and described by the act to which this is a supplement, shall be in full operation in any of the districts created by said act, and shall have all the requisites, and have been visited, approved and recognized in the mode directed by said act, then said act shall go into operation as fully and effectually, in regard to said school, as if the four schools thereby required had been established and recognized: *Provided however*, That not more than one school in each district shall be recognized under this act.

Proviso.

Requisites to on-
title a school to
the benefits of
this act, &c.

SECTION 2. That the requisites to entitle any school to the benefits of this act, or the one to which this is a supplement, as set forth in the sixth section thereof, are hereby altered in the following particulars, viz: The pupils of the model school may or may not be from the immediate vicinity of the Normal school with which it is connected, as in the discretion of the trustees thereof shall seem most expedient; that the cost of the tuition of all classes of students, whether admitted on common school

district account, private account, or whether they are actual school teachers, shall be fixed by the trustees of the several schools; that the examination of students for graduation, if only one school shall be in recognized operation, shall be by the faculty thereof: if two schools shall be in operation, it shall be by the principals of both; if three, it shall be by the principals of all, or at least two of them; and when more than three shall be in operation, the examination shall never be conducted by less than three principals, to be designated as prescribed by the twelfth paragraph of the sixth section of said act, of whom the principal of the school whose students are to be examined shall be one: *And provided*, That these examinations shall in all Proviso. cases be conducted in the presence of the superintendent of common schools and the county superintendents of the proper district, if they desire to attend, upon receiving due notice; that the certificate to graduates shall embrace such branches of learning, in addition to those of orthography, reading, writing, English grammar, geography and arithmetic, as shall be prescribed by the board of principals in accordance with the seventh paragraph of the sixth section of said act, or by the principal of the first school recognized, so long as only one shall be in operation; and the certificate shall be signed by all the examiners, if less, and by at least two-thirds of them, if more than three, and also by the whole faculty of the proper school, in every case.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 682.

AN ACT

Supplementary to an act incorporating the Six Penny Saving Fund of Philadelphia, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Six Penny saving fund of Philadelphia, its successors and assigns, shall hold, possess, use and enjoy the same rights, privileges and franchises as have heretofore been granted to the

Philadelphia saving fund society and the Western saving fund society of Philadelphia.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred fifty-nine.

WM. F. PACKER.

No. 683.

S U P P L E M E N T

To the act to incorporate the Spring Garden Saving Fund Society of Philadelphia, passed April fourteenth, A. D. one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any vacancy shall occur in the board of managers of the Spring Garden saving fund society from death, resignation or otherwise, the same shall be filled by the remaining managers, at a stated meeting of the society, and the number of managers of the said society shall at no time be less than twelve; and the said society shall be subject to all the restrictions and liabilities, and enjoy all the privileges of an act to incorporate the Seaman's saving fund society of Philadelphia, approved twenty-seventh day of April, one thousand eight hundred and fifty-five, and the supplements thereto.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 684.

A SUPPLEMENT

To an act to incorporate the Philadelphia Ice Company, and for other purposes.

WHEREAS, By an act passed the fourth day of April, one thousand eight hundred and thirty-seven, the Berks County insurance company was incorporated with power to insure against losses by fire, all kinds of buildings and merchandize, also, to insure lives and grant annuities; and by supplement the name was changed to the Globe insurance, life insurance, trust and annuity company, with power to have an office in Philadelphia:

And whereas, Said company after having made insurances for life which are yet pending and to be provided for, were under the necessity, and did make a general assignment, and in order to provide for the fulfilment of all their contracts, have desired to be enabled to make an assignment of their corporate privileges to some other insurance company, subject to the fulfilment of all their insurance and annuity contracts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the assignee of the said Globe insurance, life insurance, trust and annuity company, to assign, transfer and set over unto any insurance company in the city of Philadelphia, all the rights, powers and privileges which said company heretofore held and enjoyed under their charter, or as fully as ever they held and enjoyed the same, and as if such company had and held said charter, but under and subject to the fulfilment of all the insurance and annuity contracts now obligatory on said Globe insurance, life insurance, trust and annuity company: *And provided further*, That the proceeds of the sale thereof shall in all respects be considered as assets of the said company at the hands of the said assignee, subject to the provisions of the said general assignment for the benefit of the creditors: *And provided further*, That nothing contained herein shall authorize the assignees of such insurance company to collect any assessments or dues on notes, or otherwise, from any policy holders of said company, except at the option of such person or persons insured.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 685.

A N A C T

To incorporate the Philadelphia and Foreign Steamship Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Amos R. Sibble, Theodore A. Mehl, Edward D. Stokes, Samuel B. Henry and Robert D. King, and such other persons as may be associated with them, be and they are hereby created and made a body politic and corporate, for the purpose of owning, chartering, employing and sailing steamships or vessels, by the name and style of the Philadelphia and Foreign steamship company, and by that name, style and title shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever; and the said corporators hereby have full power to fill up all subscriptions to the capital stock and to organize the said company, and shall further have and enjoy all the powers and privileges granted by this commonwealth to the Ocean Mail steam packet company. The said corporators are further hereby authorized and empowered to have and use a common seal, and to make and ordain all such lawful by-laws and regulations as may be necessary and convenient, or required to carry out the objects and purposes of the said company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 686.

A N A C T

To repeal an act, entitled "An Act to incorporate the National Art Association," passed April seventh, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

an act passed April seventh, one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the National Art association," be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 687.

A SUPPLEMENT

To an act incorporating the West Philadelphia Mutual Saving Fund and Trust Company, approved May twentieth, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the seventh section as is contained in the last proviso of said act, except so far as relates to the issue of any note or paper in the similitude of a bank note, be and the same is hereby repealed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 688.

AN ACT

To incorporate the South-Western Market Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That John Lindsay, Joseph R. Flanigen, Charles S. Wayne, Edward Irwin, D. B. Beitler, Andrew C. Craig, David Woelper, J. B. Budd, F. J. Dreer, Samuel Sparhawk, S. S. Leidy, George Edwards, William Maule, James Donaghy, David B. Paul, William Devine, A. J. Harper, E. E. Smith, John Jones, John H. Diehl, P. M. Potts, Henry Mather, James Martin, William T. Blackman, Stephen N. Winslow, James Harper, William D. Potts, James Galbraith, George Rose, and their associates who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic and corporate, by the name,
Style.	style and title of the South-Western market company, to be lo-
Location.	cated in the First ward of the city of Philadelphia, and as such shall have power to purchase and hold real estate, and erect thereon buildings and improvements, properly constructed and adapted for a market of sufficient size and capacity to accommodate all the occupants who may desire to occupy the same:
Proviso.	<i>Provided,</i> That said company shall hold no other real estate than such as is necessary for the purposes provided by this act.
Capital stock.	SECTION 2. That the capital stock of said company shall consist of four thousand shares, of one hundred dollars each, with the privilege of increasing the same to five thousand shares.
May borrow money, issue bonds, &c.	SECTION 3. That the said company shall have power, and is hereby authorized to borrow any sum or sums of money, not exceeding three hundred thousand dollars, for the purposes of said corporation; and in order to secure the payment of the same, shall issue their bonds therefor, of not less than five hundred dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the company, at par, at the option of the holders.
Organization.	SECTION 4. That the parties hereinbefore named, or a majority of them, may proceed to organize said company and obtain subscriptions to the capital stock thereof; and after one thousand shares shall have been subscribed, and at least five per centum paid in on said subscription, they shall provide by advertisements, at least twice a week for two weeks, in two or more newspapers published in said city, for the election of a board of
Directors, election of.	seven directors, who shall serve until the first Tuesday of November next, and until their successors shall be duly elected; and annually thereafter, upon the first Tuesday of November,

the stockholders shall elect a similar board of directors, to serve in like manner for one year and until their successors shall be duly elected; and if for any reason any of said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company, for said purpose, not more than two months later than said date; and the said directors shall supply all vacancies in their board, by death, resignation or otherwise, until the next annual election; Vacancies, how supplied. but no person shall be elected a director, who shall not be at the time a stockholder in said company.

SECTION 5. That the said directors shall have power to elect Election of officers. a president, treasurer, and such other officers, being citizens of Pennsylvania, as may be deemed necessary and expedient; and in every election for directors each stockholder shall be entitled to one vote for each share of stock, but no stockholder, whether Votes. original subscribers or assigners, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at that time shall have been fully paid and discharged.

SECTION 6. That the said company shall have power to make Seal. and have a common seal, the same to alter and renew at pleasure; and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this state, and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation and the proper management of the affairs thereof: *Provided*, They shall not by any rule or Proviso. regulation prevent the farmers, who rent stalls in said market house, from disposing of the produce of their farms in such quantities and upon such terms as said farmers may think proper; and the farmers of the state of Pennsylvania shall enjoy all the rights and privileges in said market house that may be granted to the citizens of Philadelphia, or elsewhere: *Provided* Proviso. *further*, That said company before the renting of any stalls in said market house, and yearly thereafter before said renting, shall by ten or more printed handbills put up in the most conspicuous places in said market house, ten days before the time of renting, give notice of the time when said stalls will be rented, which said renting shall take place in said market house: *And provided further*, That upon application being made Proviso. at the time of letting said stalls, the farmers of the state of Pennsylvania shall be entitled to rent fifty per centum of the stalls in said market: *Provided further*, That no farmer shall be Proviso. entitled to rent more than three stalls in said market, unless all the stalls shall not be applied for at the time of letting.

SECTION 7. That dividends of so much of the profits of said Dividends. company as shall appear advisable to the directors, shall be declared in the months of January and July in each and every year, and to be paid at the office of said company, at any time after ten days from the time of declaring the same, but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock thereof shall not be impaired thereby; and if said directors shall make any dividend

impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company for the excess so divided ; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon the minutes of the board, and give public notice of the same.

May issue certificates of stock. SECTION 8. That the said company shall have power, and is hereby authorized to issue certificates of stock at par, in liquidation of the whole or any part of the mortgage debts on the estate or property of said company: *Provided*, That such issue of stock, together with the original shares taken and subscribed from time to time by the stockholders, shall at no time and in no event exceed the five thousand shares authorized under the second section of this act of corporation.

Limitation. SECTION 9. *Provided*, That the privileges hereby granted shall continue for the period of thirty years, and no longer, unless extended or renewed by the legislature.

Repeal. SECTION 10. That the legislature hereby reserves the right to amend or alter the provisions of this charter: *Provided*, No injustice shall be done thereby to the stockholders of said company.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.
JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 689.

A N A C T

To incorporate the Fairview Cemetery Association, in Berks county.

Corporators.

Style.

Seal

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William K. Stauffer, Benjamin Riegner, Frederick Schweinhart, Samuel Shaner, William Bender, Daniel B. Boyer, Henry Stauffer, Lewis S. Worman, John Fegely, Daniel K. Ritter and Isaac Nice, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Fairview cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the

same at their pleasure to alter or renew ; and shall have power to purchase, have, hold and enjoy to them and their successors, any real estate which they may purchase in the vicinity of Boyerstown, in the county of Berks, for the purpose of establishing said cemetery: *Provided*, That the whole of said real estate shall not exceed ten acres ; and the corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting and improving said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act ; and the proceeds arising out of said real estate, or the cemetery itself, shall be considered independent from any congregation, and the same shall be held and enjoyed for the use of said cemetery, in any way the lot holders may determine.

SECTION 2. That the affairs of said corporation shall be conducted by a board of four trustees, who shall be elected by the members of the corporation every second year, on the third Saturday in December ; the first election to be held in the year one thousand eight hundred and sixty, and till that time the board of trustees shall consist of Thomas Shaner, Peter Fryer, Frederick H. Stauffer and Samuel Witman : *Provided*, That the members of the board of trustees shall be lot holders of said cemetery : *And provided also*, That all vacancies occurring in the board of trustees by death, resignation or otherwise, shall be filled by appointment made by the remaining members of the board.

SECTION 3. That the said trustees, and their successors, elect their own officers, and define their respective duties ; make all by-laws and regulations necessary to transact the business of the board ; and shall have power to enclose the cemetery grounds, the same to lay out and ornament, divide and arrange into suitable plots and burial lots ; to sell and dispose of such plots and burial lots, for the purpose of sepulture, to individual members and families, under such conditions, rules and regulations, as the board of trustees may establish ; to execute and deliver deeds for the same ; to make such by-laws and regulations as may be deemed necessary for the government of all persons burying in the cemetery, and shall annually submit a statement of the condition of the treasury to the lot holders of said cemetery : *Provided*, That in case the board of trustees cannot agree in electing officers, or in deciding upon any matter brought before them, the president shall have a right to give the casting vote : *Provided also*, That the by-laws and regulations established by the corporation, shall not be inconsistent with the constitution of the United States, and the constitution of this commonwealth : *Provided also*, That said board of trustees shall not prescribe any particular religious rite or ceremony to be performed at the burial of the dead.

SECTION 4. That no lots in said cemetery shall be used by the purchasers thereof, for any other purpose than the burial of the dead ; and said lots shall be exempt from seizure, levy or sale, under or by virtue of any execution or process ; and no purchaser shall be at liberty to sell or transfer his or her lot to any person or persons whomsoever, without the written consent of the board of trustees.

Penalty for injury to property.

Proviso.

SECTION 5. That all persons wilfully injuring any of the fences, railings, trees, shrubs, plants, monuments, tomb stones, avenues, walks, or any other property of said cemetery, shall be deemed guilty of malicious mischief, and shall be subject to prosecution therefor by indictment: *Provided*, That the board of trustees reserve sufficient ground in said cemetery for the free interment of destitute members of the Boyerstown congregation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 690.

A SUPPLEMENT

To an act incorporating the Kensington Steamboat and Navigation Company.

WHEREAS, The Union steamship company has never completed the full amount of the subscriptions to its capital stock, authorized to be created by virtue of an act, passed April seventh, one thousand eight hundred and forty-nine, incorporating the Kensington steamboat and navigation company, and the several supplements thereto :

And whereas, The said company requires new steamships, in order to continue their business and promote the interests of its stockholders, but has not the capital necessary for that purpose, and it is desirable that the amount of its capital stock authorized to be created shall be fully subscribed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Union steamship company is hereby empowered to call a general meeting of its stockholders, after ten days' public notice, in two daily newspapers published in the city of Philadelphia, to determine on what terms the balance of said stock, or any part thereof, shall be subscribed for and issued ; and said new subscriptions to the stock of said company shall be made on such terms as the said stockholders shall determine ; and the said new stock, to be called by the name of preferred stock, shall be entitled to such preferences and privileges over the residue of the capital stock of said company, as the said stock-

holders shall and may determine: *Provided*, That a majority in value of the stock of the said company shall be represented at such meeting, and the owners assent to the terms agreed upon.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 691.

AN ACT

To incorporate the Montour Navigation Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles D. Eldred, John Tomlinson, John Ranson, Michael Meylert, James Deegan and such other persons as shall associate with them for the purposes hereinafter mentioned, be and they are hereby created into a body politic and corporate, by the name, style and title of the Montour Navigation improvement company, with a capital of twenty-five thousand dollars, to be divided into shares of twenty-five dollars each; and the said corporation shall be capable in law to sue and be sued, plead and be impleaded; shall have a common seal, and the same to alter and renew at pleasure; and when duly organized, as contemplated by this act, shall have power to make and enforce such by-laws, rules and regulations as may be necessary and expedient: *Provided*, That the same do not conflict with any law of this commonwealth or of the United States.

SECTION 2. That the said corporation shall use and employ so much of their capital stock as they may find necessary in improving the navigation of the Loyalsock creek, and such of its tributaries as are now or may hereafter be declared public highways; in removing from the channel rocks or other obstructions; in straightening and deepening the stream from time to time, as occasion may require, in constructing artificial reservoirs, to increase the capacity of the smaller tributaries; in protecting the banks and confining the current by cribs or rip-rappings, and in guarding the bars and sluices with piers or sheer booms, as occasion may require: *Provided*, That this act shall not be construed to authorize the said corporation, or any other person or persons, to construct artificial reservoirs except on their own

lands, or by the written consent and permission of the owner or owners of the land.

Construction of
certain laws rela-
tive to Loyalsock
creek.

SECTION 3. That to enable said corporation to make the improvements aforesaid, the laws now in force declaring Loyalsock creek a public highway, shall hereafter be deemed and taken to mean only the main channel of said creek; and no boom, dam, reservoir, mill or other improvement, which may be placed in a lesser channel, sluice or branch of said creek, by the owner of the land or by the said corporation, in pursuance of this act, shall be deemed to interfere with the said highway: *Provided*, That all such side channels shall at all times be protected with sheer booms by the proper owner.

Proviso

Erection of
booms, relative
to

SECTION 4. That said corporation is authorized and empowered to erect and maintain on the Loyalsock creek, at such eligible point or points as they may select, as near its mouth, however, as convenient, such boom or booms, with piers, as may be necessary for the purpose of stopping and securing logs and other lumber floating on said creek; and also to erect and maintain, as aforesaid, piers and sheer booms, for the purposes aforesaid: *Provided*, Said booms be so constructed as to admit the safe passage for rafts and boats, and not impede the navigation of said creek: *And provided further*, That nothing contained in this act shall be so construed as to give the said corporation, or any other person or persons, any other or greater rights than they now have of floating logs or lumber under the laws of this commonwealth; and the officers, directors and stockholders of this corporation shall be individually liable, in proportion to the amount of stock held by each, for the full amount of all damages that may result to any person or persons from the misuse or abuse, by the said corporation or its employees, of the privileges hereby granted: *And provided further*, That nothing in this act shall be so construed as to allow the said boom company to injure or in any manner destroy or damage any water power or mill property on said creek, without the consent of the owner thereof.

Proviso.

Proviso

Proviso.

Landing of logs
and lumber in
boom, relative to

SECTION 5. That all persons shall have the privilege of landing their logs or lumber in the said boom, having first given the corporation reasonable notice of such design; and the said corporation shall have the right to charge and collect toll or boorage upon the logs and lumber thus boomed, at such rates as may be fixed by their by-laws, which shall not, however, exceed the prices of the Susquehanna boom company, for like lumber; and the owner or owners of all such logs or stuff caught and secured by said boom, shall be required to pay the tolls aforesaid, before they shall have a right to remove the same from the boom. *Provided*, That it shall be lawful for all persons desirous of floating logs below any boom or booms of said company, to give notice in writing to said boom company, on or before first March in each year, to effect, designating the probable quantity of said logs and the marks on the same; in which case the said boom company shall pass said logs and lumber through their said boom or booms, with the least possible delay and without charge for boorage.

Proviso.

Penalty for in-
jury to works or
property

SECTION 6. That if any person shall wilfully and maliciously injure or destroy any such boom or piers, or other works con-

nected therewith, he or they shall pay treble the amount of the damage done to the corporation, to be recovered by action of trespass, and further be liable to indictment and prosecution, before the court of quarter sessions, for a misdemeanor, and on conviction shall be sentenced to pay a fine for the use of the county, not exceeding five hundred dollars, and to suffer imprisonment in the county jail, not exceeding two years.

SECTION 7. That if any logs or lumber shall be boomed and secured as aforesaid, and no person should appear to claim the same and pay the tolls thereon, within thirty days, it shall be lawful for the corporation, after advertising the same in one or more newspapers in the boroughs of Williamsport and Laporte, for the space of thirty days, designating the marks thereon, if any there be, to dispose of the same at public outcry, to the highest and best bidder; and after defraying the expenses of boomage, advertising and selling out of the proceeds, shall pay over any balance to the owner or owners, whenever he or they may appear; if, however, a claim to the property is made and sustained by proof, prior to the sale and the boomage, and expenses of advertising be paid, the property shall be immediately delivered up.

Tolls upon boomed lumber, how collected, &c.

SECTION 8. That for the purposes aforesaid, the said corporation be and they are hereby authorized and empowered to purchase, hold and possess any real estate adjacent to said Loy-alsock creek, as may be deemed necessary for the objects contemplated by this act: *Provided*, That the quantity of land so held shall not at any one time exceed one thousand acres.

Authorized to hold real estate.

Proviso.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 692.

AN ACT

To incorporate the Manayunk and Roxborough Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Ripka, William B. Stephens, John F. Preston, Christian B. Miller, J. Towers Ogle, Archibald Campbell, James B. Winpinny, Daniel Arbuckle, David Wallace, Bernard McCain, William M'Glinchey, John Bromly, John Adams, William Dawson, (waterman,) Charles Thompson Jones, Charles E. Graeff, Mi-

Corporators.

chael Blime, George W. Davis, Israel V. James, John Harris, Jr., James Shaw, James Bowker, William M'Fadden and Edward Strause, and their associates, successors and assigns, and other persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name and style of the Manayunk and Roxborough water company, and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with, relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same at pleasure; and they shall have power to lease or purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, not exceeding forty acres, and in their corporate name to make and execute obligations for their liabilities created for the purchase money for the same, and other necessary effects of said corporation, as they may deem expedient: *Provided*, That such liabilities shall be created only for the purposes stated in this act.

Powers and privileges.

SECTION 2. That the said company shall have power to provide, erect and maintain all works, machinery, fixtures or engines necessary or proper for raising, introducing and distributing into the districts of Manayunk and Roxborough, in the Twenty-first ward of the consolidated city of Philadelphia, a sufficient supply of pure water, and for that purpose may provide, erect and maintain all proper buildings and reservoirs for the reception of the water to be introduced; and for this purpose they are authorized and empowered, by themselves, their agents, engineers and workmen, to take water from any stream, and with their tools, carts, wagons and horses to enter upon lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain necessary materials for the construction of the said works, and to occupy, ditch and lay pipes, and from time to time to repair the same; and if any injury shall be done to private property, the said company shall make compensation therefor, in the manner hereafter provided.

Injury to private property, how settled and adjusted

SECTION 3. That if, in the location of said works, an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of the county, and make report to the court, whose award shall be subject to the right of appeal by either party; and when appealed from, to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment, and be collected in like manner.

Capital stock.

SECTION 4. That the capital stock of said company shall be one hundred and fifty thousand dollars, to be divided into six thousand shares of twenty-five dollars each; and the said company shall have the right to increase their said capital stock from time to time, as the board of directors may deem necessary:

Provided, That the whole capital stock shall not exceed two hundred and fifty thousand dollars. Proviso.

SECTION 5. That the stockholders shall annually, on the first Monday in June of each year, elect a president, twelve managers, secretary and treasurer for said company. Election of managers and officers.

SECTION 6. That said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth. By-laws.
Proviso.

SECTION 7. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure in the presence of the president, treasurer, or other person appointed by the company for that purpose; subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of said company, the holder shall be a member of the said company; and in every election or meeting the stockholders of the said company shall be entitled to one vote for each stock by him or them held. Certificates of stock, how transferable, &c.
Votes

SECTION 8. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long, as that this penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon, to be disposed of by the said company as will best promote their objects and interests. Subscriptions to stock, relative to payment of, &c

SECTION 9. That the said company, if necessity requires, shall have power at any time to borrow any sum of money, not exceeding one hundred thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects by mortgage or otherwise, for the security and re-payment of the same: *Provided*, That no bond or other security for such loan, shall be for a less sum than one hundred dollars. Authorized to borrow money.
Proviso.

SECTION 10. That the powers, privileges, &c., granted to the city of Philadelphia, for the introduction of water, be and the same are hereby extended to the Manayunk and Roxborough water company; also, that in case the councils of Philadelphia should at any time desire to own or obtain the works of the Manayunk and Roxborough water company, the same may be done by mutual agreement by the city councils and the Manayunk and Roxborough water company. Certain privileges extended to.
City of Philadelphia may purchase works.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 693.

A N A C T

To incorporate the Germantown Market Company of the city of Philadelphia.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Green, Philip R. Freas, Stephen Coulter, Joseph King, George H. Thompson, James S. Jones, Joseph Handsberry, Frederick Emhardt, Benjamin G. Godfrey, Charles Spencer, John Button, John Rittenhouse, Jesse Acuff, George D. Freas, Jesse Lightfoot and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Germantown market company; to have perpetual succession; to be capable in law of suing and being sued; to have a common seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy and take in fee simple or upon ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management, and maintenance of a market house in the Twenty-second ward of the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds or convey the said real and personal estate.
- SECTION 2.** That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all other things necessary for the use thereof, at any place within the limits of the Twenty-second ward of the city of Philadelphia; the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, and such other articles as the board of managers may deem proper. The said market building, the stalls, or any one or more or all of the same to be leased, rented or disposed of in such manner and upon such terms and conditions as the managers shall determine.
- SECTION 3.** That the capital stock of said corporation shall not exceed thirty thousand dollars, divided into six hundred shares of fifty dollars each, with the privilege of increasing the same to one thousand shares of like amount; and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.
- SECTION 4.** That the government and control of the Germantown market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seven managers, who shall be
- Corporators.**
- Style.**
- Real estate.**
- Object and purposes.**
- Capital stock.**
- Government and control.**

elected by ballot from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves; shall supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such. First managers.

SECTION 5. That a general meeting of corporators shall be held annually on the first day of May for the election of seven managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in two daily newspapers in the city of Philadelphia; and special meetings of the corporation shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers, and the decision of all questions, and at all the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote one for each share of stock held by them. General meeting, when held.
Notice of meetings to be published.
Special meetings.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 694.

A N A C T

To incorporate the Chester, Leiperville and Darby Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas T. Tasker, Sen'r, William Gray, M. D., Spencer M'Ilvain, William Young, M. D., Joseph R. Morris, Edward Burk, John C. Leiper, William Maddock, James Campbell, Robert Henderson, Jonathan P. Newlin, William H. Gesner, George Gesner, Corporators

	George Knowles, Samuel H. Mattson, William Jackson, James Andrews, Charles Lloyd, Jr., Henry Sloan, John H. Andrews, Joshua P. Eyre, John Larkin, Jr., Y. S. Walter, Thomas J. Carey, Charles Heemann Narcisoa, J. H. Dennis, John D. White, Thomas S. Sparks, William W. Harding, and their associates, and those who may hereafter become associated with them, be and are hereby incorporated and constituted a body politic, under the name and title of the Chester, Leiperville and Darby railway company, with all the rights and privileges, and subject to all the conditions and restrictions conferred or imposed by an act to regulate railroad companies, approved the nineteenth day of February, A. D., one thousand eight hundred and forty-nine, and the supplements thereto.
Style.	
Subject to.	
Route	SECTION 2. That the said Chester, Leiperville and Darby railway company, are hereby authorized to construct a railway from the southern terminus of the Philadelphia and Darby railroad, to any point in the village of Leiperville, with the privilege of extending said road to any point in the borough of Chester.
Authorized to lay track upon line of Darby and Ridley turnpike road.	SECTION 3. That the said Chester, Leiperville and Darby railway company is hereby authorized, in constructing a railway, to lay the track or tracks upon the line of the Darby and Ridley turnpike or plank road: <i>Provided</i> , The consent of the stockholders, representing a majority of the stock of said turnpike or plank road company, is first obtained.
Proviso	
May cross at grade other railroads, &c.	SECTION 4. That the said railway company shall have a right to cross, at grade, any railroad that is now, or may hereafter be built across the line of said road, and to connect and run their cars upon any other passenger railway, upon such terms as the companies concerned may agree upon; and should said companies fail to agree, then they shall each appoint one disinterested person, who shall be approved by the court of common pleas of Delaware county, and the persons thus chosen shall choose a third person, also disinterested, who shall also be approved by the said court of common pleas, and the three thus chosen shall determine upon the terms of compensation, and the award of the three thus chosen and approved, being approved by the court aforesaid, shall be final and decisive.
Running cars on other railroads, relative to.	
Capital stock.	SECTION 5. That the capital stock of said company shall consist of four thousand shares of twenty-five dollars each: <i>Provided</i> , That said company may from time to time, by a vote of a majority of stockholders, at any meeting convened for that purpose, increase their capital stock as much as may be necessary to complete said railway, and to carry out the true intent and meaning of this act.
Proviso	
May issue bonds.	SECTION 6. That the said company shall have power to raise on bonds and mortgage, any sum not exceeding one-half of their capital stock, for the purpose of carrying out the true intent and meaning of this act: <i>Provided</i> , That said bonds shall not be issued for a less sum than one hundred dollars each, and at a rate of interest not exceeding eight per cent. per annum.
Proviso.	
Flagmen to be stationed at certain points, &c.	SECTION 7. That it shall be the duty of the companies at every point of crossing a grade any railroad upon which locomotive steam engines are employed, to have flagmen stationed at the

joint expense of said companies, to use all necessary precaution and means for the safety of persons and property.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 695.

AN ACT

To incorporate the borough of New Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the village of New Washington and parts adjacent, in the county of Clearfield, bounded as follows: Beginning at the north-east corner of Joseph M'Murray's land, in Burnside township; thence south by the line of Burnside and Chest townships to the south-east corner of land purchased by John A. Neff from Jonathan Pierce; thence west by the south line of same, to the north-east corner of Christopher Neff's land; thence south by the east line of same to the north line of Samuel Williams's land; thence west by said line to the public road leading to New Washington; thence north along said road to the south-east corner of Thomas Mehaffey's land; thence by the line of the same its several courses and distances west, north and east, to a corner of the same, on the south-west line of Crawford Gallaher's land; thence in a due north course to the north line of the same; thence east by said line and land of Joseph M'Murray, to the place of beginning, be and the same is hereby erected into a borough by the name of New Washington, and as such shall be subject to all the provisions of the revised act of one thousand eight hundred and fifty-one, relating to boroughs, with its several supplements, except as hereinafter provided. Boundaries. Subject to.

SECTION 2. That the election for corporate and other officers of said borough, shall be held at the school house in New Washington, on the first Monday of May, Anno Domini one thousand eight hundred and fifty-nine, and James Gallaher is hereby appointed judge of said election, and John M. Cummings and Lewis C. Hamerly, inspectors thereof, who shall be entitled to like pay, qualified in like manner, and subject to the same penalty as judges and inspectors of township elections are by Elections, when and where held. Officers of election

Returns of elec-
tion, relative to.

law ; and the officers elected at said election, shall be notified of such election, in the manner now prescribed by law ; and returns of said election made out and certified according to the provisions of existing laws, shall be filed in the office of the clerk of the court of the court of quarter sessions of Clearfield county, within thirty days after the same shall have been held.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 696.

AN ACT

To incorporate the Pittsburg and East Liberty Passenger Railway Company.

Commissioners.

Style.

Route.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. W. Hailman, Thomas Clarke, L. R. Livingstone, A. H. Gross, Samuel M. Wickersham, W. O. Leslie, John B. Semple, William B. Negley, Audley W. Gazzam, T. B. Lyman, N. P. Sawyer, Nathaniel Holmes, Joseph Woodwell, William M. Lyon, John Fleming, Springer Harbaugh, Edward Rahm, Christian Zug, John Murdock, Junior, Isaac Jones, James P. Sterrett and R. H. Hartley, or a majority of them, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the capital stock of the company hereby incorporated, by the name, style and title of the Pittsburg and East Liberty Passenger railway company, with power to lay out and construct a railway from Market street, in the city of Pittsburg, to the Pittsburg and Greensburg turnpike road, at or near the house of John Beitler, in the village of East Liberty, by the route or routes hereinafter mentioned, and with single or double tracks, as hereinafter mentioned, that is to say: Beginning on Third street, about one square east of Ross street, and thence by the most convenient route, with single or double track, to Second street; and thence along Second street, with a single track, with necessary switches and sidings, to Market street; and thence along Market street, with single track, to Third street; and thence along Third street, with a single track, with

necessary switches and sidings, to the end of Third street, about one square above Ross street; and thence with single or double track, and by the most convenient route, to the Pennsylvania avenue, at or near the canal bridge on said avenue; and from thence, with a single track, with necessary switches and sidings, or with a double track along Pennsylvania avenue, to an angle in said avenue opposite the property of Edward Ditheridge, in the city district; and from thence, with single track, with necessary switches and sidings, or with double track by the most convenient route to the said turnpike road, at or near the house of John Beitler, as aforesaid: *Provided*, That the route of said railway may, at the option of said company, follow, as aforesaid, the line of said Pennsylvania avenue from said canal bridge to said angle at the property of said Ditheridge, or at a point on said avenue opposite the property of Ralph Reed and wife may diverge from said Pennsylvania avenue, and may be laid out, graded and constructed through the land of said Ralph Reed and wife up and along the valley of the Two Mile run, and crossing the same by a bridge, tressel work or embankment, to be made by said company, may be continued through the land of said Ralph Reed and wife, and through land of John Anderson, and through land belonging to E. D. Gazzam and wife, to such point eastwardly on said Pennsylvania avenue as may be found most convenient and advantageous: *Provided*, That in passing through or over private lots or lands or private roads the bed of said railway shall not exceed thirty-five feet in width: *And provided further*, That the said company shall have the privilege of constructing a branch railway, with single track, with necessary switches and sidings, or with double track along the line of Pennsylvania avenue, from the said angle in said avenue at or near the house of Edward Ditheridge, to the intersection of said avenue with the said Pittsburg and Greensburg turnpike road, at the public house known as Henry Barker's, or Point Breeze; and thence along the line of said Pittsburg and Greensburg turnpike road to the intersection of the same with the Pennsylvania railroad, in the village of Wilkinsburg; and also a branch railway from any point on their road to the village of Minersville, in Pitt township, by such route as they may select: *Provided further*, That whenever any damages may be sustained, or are likely to be sustained, by reason of this company taking possession of land or other property, or constructing their railway over private property or private roads, except so far as the usufruct of the before named public streets and roads necessary to the full and perfect enjoyment of the purposes by this act designed, the said damages shall be assessed and paid in the manner and according to the provisions of the eleventh section of the act of the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and the several supplements thereto.

Proviso.

Width of bed of railway.

Power to construct a branch road.

Route, &c.

Damages, how assessed and settled.

SECTION 2. That the capital stock of the said company shall consist of two thousand shares of fifty dollars each: *Provided*, That the directors of the said company may, at any time, increase the same to four thousand shares, if deemed necessary to complete their said road.

Capital stock

Letters patent.

Powers and privileges.

Organization of corporation.

Provided

May issue bonds.

Provided.

Transfer of stock, relative to.

SECTION 3. That when one thousand shares of the stock shall have been subscribed, and five dollars paid in on each share, the said commissioners, or any five of them, shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each, to the governor of the commonwealth; and it shall be thereupon the governor's duty, by letters patent under his hand and the seal of the state, to create and erect the said subscribers, their associates, assigns and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Pittsburg and East Liberty Passenger railway company, and by the said name they shall have perpetual succession, with power to make a corporate seal, and the same to alter, modify and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property, as may be necessary and convenient, to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch, and the same to exchange, barter, sell, let or lease on ground rent, mortgage or lease, or otherwise dispose of at their pleasure; and of suing and being sued, pleading and being impleaded by their corporate name, and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.

SECTION 4. That the persons named in the letters patent, or any five of them, shall, as soon as conveniently may be after the same shall have been received, give at least ten days' notice in two or more daily newspapers printed in the city of Pittsburg, of a time and place, to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose by a majority of said subscribers by ballot, to be delivered in person, five managers, all of whom shall be citizens of Allegheny county, who shall immediately choose one of their number to be president, all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each and every member of said corporation shall be entitled to a vote for each and every share of stock held by him or her.

SECTION 5. That said company shall have power to raise on bonds, to be secured by a mortgage of the road, including all its stock and franchises, any sum not exceeding one-half of the amount of the capital stock authorized by this charter, for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.

SECTION 6. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board

of directors, until all the instalments have been paid; and if any stockholder shall omit for the space of six months, to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock, on which the instalment or instalments are unpaid, as aforesaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest, at the rate of twelve per centum per annum, as debts of a like amount are recoverable against the person or persons appearing by their books to be the owner or owners thereof.

Instalments.
relative to pay-
ment and recove-
ry of.

SECTION 7. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July of each year, and be paid at the office of said company at any time after ten days' notice from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired; and in case the directors shall declare a dividend exceeding the amount of the net profits and thereby impair the capital stock, they shall be held individually liable for all such excess.

Dividends.

SECTION 8. That the said company, before commencing to construct said road, shall purchase, at the option of the owners, the stock of horses, harness, omnibuses, wagons and sleighs owned and used by any omnibus company on said Pennsylvania avenue, at the time of commencing the construction of said road, at a price to be assessed in the following manner: The said owners shall choose one disinterested person, and the said Pittsburg and East Liberty Passenger railway company shall choose another person, and the two thus chosen shall choose a third, who, together, shall be disinterested persons, and appraise such stock, and the value thus arrived at by a majority of said appraisers, shall be final and conclusive.

Purchase of om-
nibuses. &c

SECTION 9. That the said railway company shall not be permitted to use and occupy any of the streets of the said city, for the purposes of their railway, until the consent of the city councils is first thereto had, by ordinance duly passed; nor shall the said company at any time alter or change the grade or line of any street, without the consent of councils first had and obtained; and the said company shall keep so much of the streets of the said city, from curb to curb, as may be used and occupied by them, in perpetual good repair, at the proper expense and charge of the said company: *Provided further*, That the said company, for and during the first five years after they shall commence running cars upon said road, shall pay into the city treasury, for the use of the city, the sum of twenty dollars per year for each car run over their said road, and for and during the five years thence next ensuing, the sum of thirty dollars per year for each car as aforesaid; and from thence thereafter the sum of forty dollars per year for each car run over said road; and also for the first five years after they commence running cars upon said road, the said company shall pay into the city treasury, for the use of said city, three per cent. of the dividends or net profits of said company; and from thence thereafter said company shall pay into said treasury, for use of said

Consent of city
councils to be
obtained.

Proviso.

city, five per centum of the dividends or net profits of said company.

Compensation for
the use of any
turnpike, plank
road or bridge.
relative to.

SECTION 10. That before the said railway company shall use and occupy any portion of any turnpike, plank road, bridge or street, or road of any borough, if the said railway company and said turnpike, plank road or bridge company, or councils of any borough, cannot agree upon the terms for the use thereof, within thirty days from the organization of the said company, either party may apply by petition to the court of quarter sessions of Allegheny county, setting forth the facts, and praying the court to appoint a time for the hearing of the parties, not more than twenty days from the filing of the said petition, of which time and place the opposite party shall have at least ten days' notice; and the court shall, immediately after hearing the said parties, proceed to fix and adjudge the rate of compensation to be allowed and paid by said company for the use of such turnpike, plank road, bridge or street, and the terms on which it shall be used, and the mode and manner in which the same shall be kept up by the respective parties, which judgment shall be and remain final and conclusive between the parties: *Provided further*, The said Pittsburg and East Liberty Passenger railway company shall have full power and authority to make such changes in the grade of turnpike, plank and other roads, as may be required to enable them to use their railway with ease and convenience.

Proviso.

Gauge

SECTION 11. That the said railway company shall be, and they are hereby required to lay the track of their said road of such a gauge as to be most convenient for the use of carriages and buggies passing over the said road; and in all cases the carriage or vehicle following the car, shall have the right to the track, and the carriage or vehicle coming in the opposite direction shall be required to turn off the track.

Penalty for in-
juring works, &c.

SECTION 12. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses, or other building or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending, shall forfeit and pay for every such offence the sum of five dollars, to be paid into the county treasury; but no such suit shall be brought, unless commenced within sixty days after such offence shall have been committed; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts as aforesaid.

Paving, culvert-
ing, laying gas
and water pipes,
&c. relative to.

SECTION 13. That the councils of Pittsburg shall have power to establish such regulations in regard to said railway, as may be required for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the streets used by said company, and to prevent obstructions thereon; and the said company shall never obstruct the streets or roads over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines thereon.

SECTION 14. That no greater fare shall be charged upon said ^{Fare.} road per passenger, to or from the line of Peebles township, than five cents; for any distance less than two miles, five cents; and for any greater distance, not more than two and one-half cents a mile; but in no case to exceed ten cents to and from East Liberty, or fifteen cents to or from Wilkinsburg.

SECTION 15. That said railway company shall, at the inter- ^{Relative to stop-} section of their road with any railroad upon which locomotives ^{ping at certain} are used without the city of Pittsburg, cause their cars to stop ^{points.} before crossing the same, under a penalty of twenty-five dollars for each violation of this section.

SECTION 16. That the said company shall commence the con- ^{Limitation.} struction of the railway hereby authorized within one year after the consent of the councils of the city of Pittsburg shall have been given to the same, and complete the same to East Liberty within two years thereafter.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, Jr.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 697.

A SUPPLEMENT

To an act to incorporate the Altoona Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the persons named as commissioners in the first section of the act to which this is a supplement, John Shoemaker, James Louther, William M. Lloyd, Clement Jaggard, Thomas A. Scott, Albert B. Clark, Benjamin F. Rose, Charles J. Mann, George B. Cramer and Enos M. Jones be and they are hereby added as commissioners, with the same powers and duties as prescribed in the said act, and the general act regulating gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven. ^{Additional com-} ^{missioners.}

SECTION 2. That the title of said company shall be changed ^{Title changed} to that of the Altoona gas and water company; and in addition to the privileges granted for establishing gas works, they shall have all the privileges granted to water companies, as provided by the act regulating gas and water companies, approved the eleventh day of March, one thousand eight hundred and fifty-

Subject to.

seven, and be subject to all the restrictions and provisions, together with the immunities, contained in said act.

Capital stock.
Proviso.

SECTION 3. The commissioners referred to in the original act and this supplement, or a majority of them, are hereby authorized to carry into effect the establishment of a gas and water company, to be located in or adjacent to the borough of Altoona, in the county of Blair, and state of Pennsylvania, with a capital stock of forty thousand dollars, to be divided into shares of twenty dollars each, with the right to increase said capital stock to an amount not exceeding sixty thousand dollars: *Provided*, The same shall be necessary to complete and place in good condition all the works and improvements of said company. .

Repeal of certain
act, relative to.

SECTION 4. And whereas, the burgess and town council of the borough of Altoona have officially declared their desire to have the act repealed relative to supplying the borough of Altoona with water, approved May second, one thousand eight hundred and fifty-five, so far as it relates to the borough authorities, and desired that the powers and privileges granted said borough and her corporate authorities should be vested in the Altoona gas and water company, the act of May second, one thousand eight hundred and fifty-five, is hereby repealed, so far as it relates to said borough; and the powers and privileges therein granted, (except so much of the second section of said act as empowers the parties to borrow five thousand dollars, to levy a tax and to create a sinking fund,) shall be and they are hereby vested in the said Altoona gas and water company, in addition to all other powers and privileges conferred by this act.

W. C. A. LAWRENCE,

Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 698.

AN ACT

To incorporate the Port Kennedy Railroad Company of Montgomery county.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Griffin, David Zook, John Kennedy, Daniel H. Mulvaney, D. R. Kennedy, Jacob Massey, Jacob Rennard, William M. Stephens and William Henry, or any three of them, be and they are hereby appointed commissioners to open books, receive sub-

scriptions and organize a company by the name, style and title Style.
of the Port Kennedy railroad company, with all the powers and Powers.
subject to all the duties, restrictions and regulations prescribed Subject to.
by an act of assembly of this commonwealth, entitled "An Act
regulating railroad companies," approved nineteenth day of
February, Anno Domini one thousand eight hundred and forty-
nine, so far as the same are not altered and supplied by the pro-
visions of this act.

SECTION 2. That the capital stock of said company shall con- Capital stock.
sist of three thousand shares of fifty dollars each, which said
capital stock may be increased, if the exigencies of the company
shall require it, to any amount or sum necessary to complete
the road, as the president, directors and stockholders of said
company may deem expedient: *And provided further,* That the Provido.
Phoenix iron company, in their corporate capacity, may subscribe
to the capital stock of said company.

SECTION 3. That the said company shall have the right to Route, &c.
build and construct a railroad from the Schuylkill navigation
and Reading railroad, at Port Kennedy, of such grades and by
such route as the president, directors and stockholders of the
said company shall deem most expedient, with suitable branch
roads, not exceeding in the whole length five miles.

SECTION 4. That the said company be and are hereby author- May borrow
ized to borrow money to any amount, not exceeding the capital money.
stock subscribed and actually paid in, whenever the directors
and stockholders shall deem the same necessary; all money
thus borrowed to be secured by bond and mortgage upon the
property, rights, privileges and franchises of said company:
Provided, That the rate of interest on said bonds is not to ex- Provido.
ceed seven per centum per annum, and that no bond shall be
issued of a less denomination than one hundred dollars; said
bonds may be made convertible into stock of said company, at
the discretion of the president, directors and stockholders.

SECTION 5. That the said company shall have the right to Charge for trans-
charge on all lime, limestone, coal or merchandize of any de- portation.
scription or kind carried over the road, or any part of the road,
any price per ton not exceeding six cents per ton per mile, and
for any fractional part of a mile, the charge per ton is to be in
the same exact proportion; the directors of the said company
may reduce the rate of charge for transportation below six cents
per ton per mile, as hereinbefore provided for: *Provided,* That Provido.
the charge shall not be reduced lower than will afford a revenue
equal to at least six per centum per annum upon the capital stock,
after keeping the road in repair and paying all other current
liabilities.

SECTION 6. That the board of directors shall consist of a Officers.
president and six directors, four of whom shall form a quorum
for the transaction of business of the company.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thou-
sand eight hundred and fifty-nine.

WM. F. PACKER.

No. 699.

A N A C T

To incorporate the Lincoln Bridge Company, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Henry Thompson, Reuben Seidel, John Thompson, William Goodhart, Nicholas Jones, John Lincoln, junior, John Banks, Washington Kissinger, Gotlieb Moyer, Franklin D. Nagle and Daniel Reed be and they are hereby created commissioners to organize a bridge company, under the name and style of the Lincoln bridge company, in the county of Berks; with a capital of ten thousand dollars, divided into shares of twenty-five dollars each, with power to increase the same so far as may be necessary for the purpose of constructing a bridge across the Schuylkill river, at or near the line dividing the lands of John Lincoln, Sr., and John Banks, on the banks of said Schuylkill river, in Exeter township, in said county; said company to be organized, managed and governed as is provided by an act regulating bridge companies, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, with all the privileges and immunities, and subject to all the restrictions contained in said act.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 700.

A N A C T

Supplementary to the act erecting the village of East Birmingham into a borough, approved the tenth day of April, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the burgess and town council of the borough of East Birmingham, in the county of Allegheny, shall have full power and authority to grade, re-grade, pave and repair any street, part of a street, side-walk, alley, part of an alley within the corporate limits of said borough, on a petition of a majority of the owners of any lots or pieces of ground fronting, bounding or abutting on such street, side-walk or alley so to be graded, paved or repaired; and for that purpose it shall be lawful for the burgess and town council aforesaid to ordain, enact, alter or amend all such ordinances, by-laws, rules and regulations as may be deemed expedient to the following provisions:

Power of councils relative to paving, grading, &c.

SECTION 2. That the grading or re-grading of any street or part of a street, side-walk, alley or part of an alley in said borough, shall be done at the proper cost and expense of said borough; and all crossings shall be paved by and at the proper cost of said borough.

Expense of grading.

SECTION 3. That the costs and expenses of the paving of any street, part of a street, side-walk, alley or part of an alley shall be charged upon the lots or pieces of ground fronting, bounding and abutting on said street or alley, by an equal assessment per foot so fronting and abutting as aforesaid, which said costs and expenses shall be a lien on said property, and shall be collected in manner following, to wit: Whenever the burgess and town council shall have determined upon the paving of any street or part of a street, alley or part of an alley extending at least from the centre of one intersecting street to the centre of the next intersecting street, and shall have passed an ordinance for that purpose, they shall cause an estimate to be made of the costs and expenses of the paving, including the materials for the same, of said streets or part of a street, alley or part of an alley, and the same to be apportioned among and charged upon the lots or pieces of ground so fronting, bounding and abutting on said street or alley, on the part thereof so to be paved as aforesaid, which shall become due and payable as follows, to wit: One-third when said paving shall have been actually commenced, one-third within six months thereafter, and the remaining third in one year after the commencement of said work, and when the said paving shall have been finished and completed.

Expense of grading to be charged upon and be a lien on property, &c.

Estimate of cost and expense, relative to.

SECTION 4. That it shall be the duty of the street commissioner of said borough, at any time after said apportionment shall have been made, to give to the owner or owners of any lot or lots, or pieces of ground, if known to him, and resident within the county of Allegheny, or to his, her or their agent or agents, if known to him, and resident within said county, a certificate in writing, signed by the burgess and attested by the clerk of the council, of the amount of the costs and expenses ascertained to be chargeable upon said lot, lots or pieces of ground, for the paving and materials furnished, or to be furnished, for the paving of that part of said street or alley on which said lot, lots, or pieces of ground front, bound or abut, together with a notice or demand to pay the same to the treasurer of said borough, at the times and in the instalments aforesaid; and if the owner or owners, his, her or their agent or agents, neglect or refuse to pay the same, or any instalment of the amount specified in said certificate, within thirty days after the same shall

Duty of street commissioner.

Instalments to be paid to borough treasurer.

Delinquents,
relative to.

Statement of lien
to be filed in pro-
thonotary's office

Owners of real
estate whose
names are un-
known, relative
to.

Misnomer.

Liens, relative to

How recoverable.

Provided

have become due and payable as aforesaid, and demand made as aforesaid, it shall be lawful for the burgess of said borough to make out, or cause to be made out, a statement, by the name of the street or alley, for the paving of which, or a part of which, the said lot, lots, or pieces of ground shall have become liable as aforesaid, and setting forth the name or names of the owner or owners so delinquent, the amount of the costs and expenses for which his, her or their property is liable, and a description of said property sufficient to identify the same, and the number of feet the same fronts, bounds and abuts on the said street or alley so paved or being paved as aforesaid, and the date of the service of the certificate, notice and demand, and the failure of said owner or owners, his, her or their agent or agents, to pay the amount in said certificate specified, to said treasurer, in the manner aforesaid; which said statement being first signed by the said burgess, or in his absence, by the acting president of the council, and attested by the clerk and verified by the oath or affirmation of said burgess, or the street commissioner, or other officer or agent of said borough, cognizant of the facts therein set forth, shall be filed in the office of the prothonotary of the court of common pleas of the county of Allegheny, whose duty it shall be to enter the same of record in said court, of the term to which it shall be filed.

SECTION 5. That in case the name or names of the owner or owners of any real estate which may become liable as aforesaid, for said paving, is or are unknown to said street commissioner, that fact shall appear in the statement to be filed, opposite to the description of said property, and the name or names of the owner or owners, may be substituted or suggested on the record, when discovered; and no return of a wrong name or names, as owner or owners, or misnomer in said statement, shall vitiate the same, or prevent the *scire facias*, hereinafter mentioned, from issuing to the real owner or owners; and no informality or defect in said statement, or mis-description of any property therein contained, shall invalidate it, but the same may be altered or amended, on application to said court for that purpose; and where said owner or owners is or are unknown to said street commissioner, and has or have no known agent or agents, resident within the said county of Allegheny, it shall be his duty to put up on said property, so liable as aforesaid, the certificate, notice and demand aforesaid, at least thirty days before the filing of said statement, and the same shall be considered equivalent to personal notice.

SECTION 6. That said statement shall be a lien on the lot, lots or pieces of ground therein described, from the time of the commencement of said paving until the same be fully paid and satisfied; and the amount of said statement shall be recoverable by writ of *scire facias*, issued thereon in the name of the burgess and town council of the borough of East Birmingham, as debts secured by mortgage are now by law recoverable; and said writ may issue immediately after the filing of said statement, and the whole amount of the same shall become immediately due and recoverable: *Provided*, That said statement be filed within six months after said paving shall have been completed, other-

wise the lien shall date from the time of the filing of said statement.

SECTION 7. That it is the true intent and meaning of this act, Construction of this act. that the lot or lots fronting or abutting on a street or alley which shall be paved under the provisions of this act, shall be liable for, and chargeable with the costs and expenses of paving the side-walks and to the centre of the street or alley immediately in front of said lot or lots, and the cost of all materials used in said paving, including curb-stones, and also with the cost and expense of setting said curb-stones.

SECTION 8. That upon the payment of the costs and expense Payment and costs of expense, relative to. of said paving, by the owner or owners of any lot or lots as aforesaid, said owner or owners shall be entitled to a credit on the amount of the borough tax levied and assessed in any subsequent year, on said lot or lots, equal to the one-half of said tax, until said owner or owners be reimbursed the costs and expense of said paving.

SECTION 9. That the street commissioner for said borough of Street commissioner, how appointed. East Birmingham shall hereafter be appointed by the burgess and town council of said borough.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. GRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini on thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 701.

A N A C T

To incorporate the Seventeenth and Nineteenth Streets Passenger Railway Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That G. B. Hutchins, J. M. Bickel, James H. Billington, Bayard Commissioners. Robinson, P. C. Ellmaker, John Welsh, Warwick M. Ogelsby, Thomas Ellis, Benjamin R. Munson, George F. Gordon, James Harper, Samuel Miller, John M. Pomeroy, J. Alexander Simpson, James Johnson, Charles Vanhorn, Walter Allison, Thomas Fagen, R. P. M'Dowell, Thomas Potter, William Bell, Charles Hatheway, Simon P. Kase, James Bond, Henry Y. Smith, James M. Raybold, Samuel Kilpatrick and Thomas C. Steel, or any ten of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style

Style.	and title of the Seventeenth and Nineteenth Streets Passenger railway company of Philadelphia, with power to lay out and
Route.	construct a railway from or near the intersection of Nineteenth and Master streets; thence south along said Nineteenth street to Federal street, passing around Logan and Rittenhouse squares, on the west side thereof; thence east along said Federal street to Seventeenth street; thence north along said Seventeenth street to Francis street; along said Francis street to Ridge avenue; thence along said Ridge avenue to said Seventeenth street; thence north along said Seventeenth street to Master street; thence along said Master street to the place of beginning; and also with power to construct a railway along Seventeenth street from Francis street to the Ridge avenue, whenever said Seventeenth street shall be open for public use.
Real estate.	SECTION 2. That the said company shall have the right to purchase such real estate, and erect such buildings and improvements thereon, and purchase such necessary equipments, as horses, cars and other vehicles and appendages for the conveyance of passengers on and over said railway, as may be deemed necessary and convenient for the accommodation and purposes of said company: <i>Provided</i> , That no freight or burden trains or locomotives shall be permitted to pass over said railway.
Proviso.	
Capital stock.	SECTION 3. That the capital stock of said company shall consist of six thousand shares of fifty dollars each, with the power to increase the same to the number of ten thousand shares, whenever the stockholders, at a meeting convened for that purpose, shall deem the same necessary to complete said railway and to carry out the full and true intent and meaning of this act.
Officers.	SECTION 4. That said company shall elect or appoint a president and five directors, a majority of whom, with the president, shall be citizens of Philadelphia, and such other officers as may be deemed necessary or expedient; and in every election for officers each share of stock shall entitle the holder to one vote.
Dividends.	SECTION 5. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared semi-annually in each and every year, and be paid at the office of the company any time after ten days from the time of declaring the same; said dividends shall in no case exceed the amount of the net profits of the company, and if the directors shall make any dividend impairing the capital stock, those consenting thereto shall be liable in their individual capacities to said company for the amount so divided, and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter his or their written protest on the minutes of the board and give public notice of the same; and the said company shall annually pay into the city treasury, for the use of said city, six per centum upon all dividends that shall exceed six per centum per annum on their capital stock.
Per centage to the city.	
May issue bonds.	SECTION 6. That said company shall have power to raise on their bonds, or other securities, any sum of money not exceeding one-half of the capital stock herein authorized; no bonds shall be issued or obligation incurred, until the whole capital stock of six thousand shares be paid in full, nor shall any bond

or certificate of loan be issued for a fractional part of one hundred dollars.

SECTION 7. That before said company shall commence to use the said streets, the consent of the councils of the city of Philadelphia shall be obtained, and said consent shall be deemed and taken to have been given, if said councils shall not within thirty days after the passage of this act, signify their disapprobation by ordinance duly passed; and said councils may from time to time by ordinance, establish such regulations in regard to said railway as may be required for the purpose of paving, re-paving, grading, culverting and laying gas and water pipes in and along said streets, and to prevent obstructions thereon; and that the said company in constructing said road shall conform to the grades established by councils of the several streets and avenues traversed by said railway, and said company shall keep such streets and avenues in good order and repair at their own proper expense.

Consent of councils to be obtained, &c.

Must conform to grades of streets, &c.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 702.

A N A C T

To authorize the Trustees of the Church of the United Brethren in Christ, of the borough of Middletown, in the county of Dauphin, to convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the church of the United Brethren in Christ, of the borough of Middletown, in the county of Dauphin, be and they are hereby authorized and empowered, at any time or times hereafter, to grant, bargain and sell all or any part or parts of all that certain lot of ground, with the buildings thereon erected, situate on the west side of Duck street, south of Water street, in the said borough of Middletown, belonging to the said the church of the United Brethren in Christ, at public or private sale in fee simple, or for any other estate, and upon such terms and conditions as they may deem proper; and to convey and assure the premises and hereditaments so sold, with the appur-*

LAWS OF PENNSYLVANIA,

tenances thereunto belonging, to the purchaser or purchasers thereof in fee simple or otherwise, as the case may be, free, clear and discharged of and from all and every the trusts, estates, limitations and conditions expressed or contained in the indentures or legal assurances relating thereto at any time heretofore made, and so that the said purchasers shall take and hold the said premises so conveyed to them, without any limitations or liability on their part to see to the application of the purchase money; and such conveyance or conveyances shall vest a perfect and indefeasible title to the premises so sold and conveyed in the purchasers thereof.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 703.

A N A C T

To incorporate the Turners Association.

<p>Corporators.</p> <p>Style</p> <p>Object</p> <p>Capital stock.</p> <p>Management of association.</p> <p>Election of officers</p>	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Charles F. Bauer, Robert C. Schmerts, Sigismond Loew, J. Zwinger, A. B. Amlung and Henry Knoebel, of the city of Pittsburgh, in the county of Allegheny, Pennsylvania, their successors and assigns, and such other persons as shall become associated with them as shareholders, be and they are hereby erected and constituted a body politic and corporate, in deed and in law, by the name and style of the Pittsburgh Turners association, to be located in the city of Pittsburgh, having for its object the improvement of its members in those physical exercises and manly sports essential to the enjoyment of health in large cities; said association shall have a capital stock of two thousand dollars, divided into shares of five dollars each, with the privilege of increasing the same to five thousand dollars.</p> <p>SECTION 2. That the affairs of said association shall be managed by a president, treasurer and board of seven directors; the election of the president, treasurer and directors, shall be held annually at such time and place, in the city of Pittsburgh, as the association may determine, of which public notice shall be given; all elections shall be by ballot, and each stockholder shall be en-</p>
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titled to one vote for each share of stock held by him or her; Votes.
 and in case of any vacancy in the board of directors by death,
 resignation or otherwise, the remaining members of the board
 shall elect a new director to fill such vacancy until the next
 annual election by the stockholders.

SECTION 3. That said corporation shall have authority to hold
 a common seal, and use the same, to change, alter and amend at Seal.
 pleasure; and by the name, style and title aforesaid, shall be
 able and capable in law and equity to sue and to be sued, plead Powers and privi-
 and be impleaded in any court of this commonwealth or else- leges.
 where, and have perpetual succession; and said corporation shall
 also, by the name and title aforesaid, be able and capable in law
 and equity to take and hold, either by purchase, gift, grant, de-
 vise or lease, any lands or real estate for the use of said associa-
 tion; and also to take and hold, for the use of said association,
 any goods and chattels, lands and tenements, sum or sums of
 money, by gift, grant, bargain and sale, will, devise and bequest,
 from any person or persons whatsoever capable of making the
 same; and the same at pleasure to grant, bargain, sell or lease
 for the use of the said association: *Provided however,* That said Proviso.
 corporation shall not hold, own or possess any real estate to
 greater value than fifteen thousand dollars.

SECTION 4. The said corporation shall ordain, establish, and By-laws.
 put in execution such by-laws, ordinances and regulations as
 shall appear necessary or convenient for the government of said
 association, and not being contrary to the constitution and laws
 of the United States, or of this commonwealth; and generally
 to do all and singular the matters and things which to them it
 shall lawfully appertain to do, for the well being of said cor-
 poration, and the due ordering and managing of the affairs
 thereof.

SECTION 5. That this act shall take effect whenever one hun- When this act to
 dred shares are subscribed and paid in; and thereupon the cor- take effect.
 porators, mentioned hereinbefore, shall give one week's notice Notice of time
 in two newspapers published in the city of Pittsburg, of the and place of
 time and place of meeting of the said subscribers, for the pur- meeting to be
 pose of holding an election for a president, treasurer and seven published.
 directors, to serve until their successors are duly qualified.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one
 thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 704.

A N A C T

To incorporate the Cameron House Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. Vance Criswell, Joseph Casey, George Bergner, J. D. Cameron, David Mumma, Jr., James Burns, Henry Omit, John B. Beck, B. Rush Petriken, John Wallower, Jr., and their associates, and all persons who may now or hereafter may be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of Cameron House hotel company, to have perpetual succession, to be capable of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, either by absolute conveyance, in fee simple or upon ground rent, and in case of a conveyance upon ground rent, with power to execute the necessary covenant for the securing the payment thereof, such real estate as may be necessary and proper for the construction of a hotel in the borough of Harrisburg, with such supplementary buildings as may be adapted to and form part of the general plan and design thereof, for the accommodation and use of any parties who may be desirous of renting and occupying the same; and the said real estate, or any part thereof, when, in the opinion of the said corporation, it may be proper so to do, to sell and convey to any person or persons who may be desirous of purchasing the same: *Provided however*, That if the said company or their lessees, with their knowledge, shall knowingly permit any intoxication or gambling in their said house, the privileges hereby granted shall cease, and that the said company shall not themselves engage in the business of hotel keeping.

SECTION 2. That the capital stock of said corporation shall not exceed seventy-five thousand dollars, divided into three hundred shares of two hundred and fifty dollars each, and that it shall be held as personal property, and as such be transferred, under such regulations as the corporators shall judge convenient.

SECTION 3. That a general meeting of the corporators shall be annually held on the first Monday of May, for the election of five managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given in one daily newspaper in the borough of Harrisburg.

SECTION 4. The said company shall have power to issue bonds to one-half the amount of the capital stock, secured by mortgage upon the real estate owned by the said company, the said

Corporators.

Style.

Seal.

Powers.

Proviso.

Capital stock.

Annual meeting.

May issue bonds.

bonds to bear interest at the rate of seven per cent. per annum, and may be sold at any rate of discount deemed advisable by the managers, or a majority of them: *Provided*, That the bonds shall not be issued for a less sum than five hundred dollars each. Proviso.

SECTION 5. That the election of managers shall be by ballot, from among the corporators; and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, whether of election of officers or disfranchisement of corporators, either because of their delinquency in paying for the amount of stock by them purchased of the corporation, or for other causes, and on all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote once for each share of stock held by them. Election of managers.
Votes.

SECTION 6. That the managers shall continue in office until their successors be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators; three members shall be a quorum at these meetings. Vacancies.

SECTION 7. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and have authority as such. First managers

SECTION 8. That if the said corporation shall at any time hereafter misuse or abuse any of the chartered privileges hereby granted, the legislature may at any time resume all and singular the rights, liberties, privileges and franchises hereby granted to the said company. Limitation
Reservation

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 705.

A SUPPLEMENT

To an act relating to Inspections, et cetera, passed the fifteenth day of April, one thousand eight hundred and thirty-five, and the supplement thereto, approved the twenty-fifth day of March, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the said supplement, approved the twenty-fifth day of March, one thousand eight hundred and fifty, relating to inspection of flour which shall be brought from any state into the county of Erie, be and the same is hereby repealed; and all flour brought from any state into the city or county of Erie, for the purpose of being offered for sale within the said city or county, shall be liable to inspection at the request of the purchaser thereof, and not otherwise; and the purchaser and vendor shall each be liable for and pay each one-half of the costs or fees for the inspection.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 706.

A SUPPLEMENT

To an act to incorporate the President and Managers of the Belmont Avenue and Plank Road Company, approved the eighth day of April, one thousand eight hundred and fifty-three.

Authorized to extend road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Belmont Avenue and plank road company be and they are hereby authorized and empowered to extend their road, by the best and most convenient routes to or near the Manayunk bridge, in Montgomery county, and that they may in like manner make

the extension to the Falls of Schuylkill bridge, as provided by this charter, whenever the managers of said company shall deem it expedient.

SECTION 2. That it shall and may be lawful for the said Belmont Avenue and plank road company, to construct a railway on any part of the line or lines of their road north of Girard avenue, as provided by the act incorporating said company, and the several supplements thereto, under and subject to the powers, restrictions, immunities and conditions contained in an act regulating railroad companies, approved the nineteenth of February, one thousand eight hundred and forty-nine, and to connect the same with any railroads in its vicinity: *Provided however*, That the said road so far as it may be constructed in the city of Philadelphia, shall be of the same gauge as the present passenger railways in the city of Philadelphia, and subject to the tenth section of a supplement to the act consolidating the city of Philadelphia, approved the twenty-first day of April, one thousand eight hundred and fifty-five.

Power to construct a railway.

Proviso.

Subject to.

SECTION 3. That whenever two miles of railway track shall have been constructed on the route of said road, the stockholders thereof may, at a meeting held for that purpose, change their corporate name to the Belmont railroad and plank road company.

When name may be changed.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WAL. F. PACKER.

No. 707.

AN ACT

To incorporate the United Presbyterian Congregation of Unity Church of Venango township, in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the members of the United Presbyterian congregation of Unity church of Venango township, in the county of Butler, are hereby erected into a body corporate in deed and in law, by the name and style of the United Presbyterian congregation of Unity church, and by the same name shall have perpetual succession, and be able to sue and be sued in all the courts of law, and else-

Incorporation.

where; and shall be able and capable in law and equity to take and hold lands and tenements, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which are now or hereafter shall become the property of said congregation by gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell or dispose of: *Provided*, That the yearly value or income of said real and personal estate shall not at any time exceed the sum of five thousand dollars: *And provided*, That the church and graveyard belonging to said congregation shall never be sold, unless a majority of all the members of said congregation shall consent to the sale thereof.

Proviso

Church and
grave yard.

Trustees and
officers.

SECTION 2. That the affairs of said corporation shall be managed and superintended by three trustees, to be chosen from among the members of said congregation, who shall choose from among their own number a president and secretary; and shall also choose a treasurer from among the members of said congregation, who is not a trustee, and who shall, if required by the trustees, give sufficient security for the faithful discharge of his duties; and in case of the removal of a trustee or trustees by death, resignation, or otherwise, the vacancy shall be supplied by the remaining trustee or trustees until the next regular election, when a trustee or trustees shall be elected to fill such vacancy; and the following named persons shall be trustees until others shall be elected, to wit: Robert Martin, Joseph Sloan and William Moore.

Election

SECTION 3. That the first election to be held in pursuance of this act, shall be conducted by three members of said congregation to be chosen by the trustees, which election shall be held within sixty days from the passage of this act, and all subsequent elections at such place and times, and shall be conducted in such manner, and the trustees elected for such length of time as may be prescribed by the by-laws.

Seal

By-laws.

Proviso

SECTION 4. That the said trustees, and their successors, shall have power and authority to make, have and use one common seal, with such device as they shall think proper, and the same to alter at their pleasure; they shall have power to enact and enforce such by-laws and ordinances as may be proper and necessary for the regulation and transaction of the business of said corporation: *Provided*, That said by-laws and ordinances shall not be inconsistent with the constitution and laws of this commonwealth or of the United States, and that the same be approved by a majority of the members of said congregation at any regular or special meeting called for that purpose.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 708.

A N A C T

To incorporate the City and County Insurance Company of the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. W. Poindexter, A. G. Craig, James Gibson, James L. Graham, Moses Borland, Samuel Gormly, George Lewis, Nicholas Voeghtly, senior, John Irwin, senior, William B. Pusey, R. P. M'Dowell, D. M. Evans, David Greeg, John Longmore, James Old, Peter Peterson, Samuel Lindsay, junior, Henry Irwin, Christian Yeager, Thomas Farley, John A. Scott, J. W. Riddle, James Park, junior, Josiah King, John Sampson, Alexander Hilands, William P. Baum, Thomas Donnelly, James A. Gibson, D. Leet Shields, John Birmingham are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the City and County insurance company of Allegheny city, and to be located in Allegheny city, with a capital of one hundred thousand dollars, to be divided into shares of fifty dollars each, with a right to increase the same to two hundred thousand dollars; which company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, one thousand eight hundred and fifty-six; and shall be limited to the risks designated in the first clause of the said act, as embraced in the first class.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 709.

A N A C T

To incorporate the Pottsville and Minersville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* B. Reilly, F. B. Kaercher, Wellington Kline, Frank Pott, Howell Fisher, George J. Hehr, Richard Kear, Jeremiah Seitzinger, Adam Woff, John R. Fernsler, John Green, Benjamin Haywood, M. P. Fowler, James H. Campbell, Levi Bartholomew, Joseph M. Schuyler, Jacob Huntzinger, Jr., and David P. Brown, of the county of Schuylkill, their associates and assigns, be and they are hereby incorporated and constituted a body politic and corporate, under the name, style and title of the Pottsville and Minersville railroad company, with all the rights and privileges, and subject to all the conditions and restrictions conferred or imposed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the said railroad company are hereby authorized to construct a railroad from a point in or near the borough of Pottsville, to such a point in or near the borough of Minersville, and by such route as they may deem advisable and expedient, and shall have authority to make branches or lateral railroads to mines, not exceeding five miles each in length, and to cross or connect with any other railroad or railroads now made or hereafter to be made on the lines of their routes.

SECTION 3. That the capital stock of said company shall consist of five thousand shares of fifty dollars each.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

Corporators

Style

Subject to

Route

Capital stock

No. 710.

AN ACT

To incorporate the town of Middleport, Schuylkill county, into a Borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Middleport, in the county of Schuylkill, shall be Boundaries. and the same is hereby erected into a borough, under the name and title of the borough of Middleport; and shall be comprised within the following boundaries, to wit: beginning at a birch tree; thence north seventy-one degrees east two thousand and fifty feet to a stone corner; thence north eighteen degrees west three thousand and twelve feet to a stone; thence south seventy-one degrees west two thousand and fifty feet to a stone; thence south eighteen degrees east three thousand and twelve feet to the place of beginning.

SECTION 2. That it shall and may be lawful for all persons Who entitled to entitled to vote for members of the legislature, who have resided vote. in said borough six months previously to such election, to meet at the tavern now kept by Daniel G. Rowdenbush, or at such Elections, when other place as may be appointed by the town council in said and where held. borough, on the third Friday in February, in every year, and then and there elect by ballot, between the hours of one and seven o'clock in the afternoon of the same day, one citizen residing therein for burgess, and five citizens residing therein for Officers to be town council, and one for town clerk, one for justice of the elected peace, one for high constable, one for assessor and two for assistant assessors; but previously to such election, the voters present shall elect one judge, two inspectors and two clerks of the said election, which shall be regulated throughout according to the general election laws of this commonwealth, so far as relates to the receiving and counting of votes; and the said judge, inspectors and clerks shall respectively take an oath or affirmation Elections, how before a judge or justice of the peace, to perform their respective conducted. duties with fidelity and impartiality; and after the said election shall be closed they shall publicly declare the persons having the greatest number of votes to be duly elected; and in case two or more candidates shall have the same number of votes, the preference shall be determined by lot, drawn in the presence of the said inspectors and clerks, by the said judge, after the said election shall be closed; the said judge and inspectors shall give notice in writing, within twenty-four hours after Duty of election the election, to the candidates elected, and shall make out a officers. return, under their hands, containing the names of the candidates and the number of votes given for each, and deliver the same to the town clerk, who shall hand over the said returns to the town council at their first meeting, which return shall be filed with the papers belonging to the corporation; and if it should happen, through neglect or otherwise, that the election should

PROVISO not be held on the day heretofore mentioned, then it shall be held on the Monday following said day, notice thereof to be given by at least ten written or printed advertisements, posted in as many of the most conspicuous places of the borough: *Provided*, That the members and officers of the corporation shall continue to exercise all the powers, and perform all the duties given to and enjoined upon them by this act, until their successors are duly elected or appointed.

Councils to be divided into classes.

Duties of president

Burgess

Vacancies

Style

Powers

Penalty for refusing to perform duties

SECTION 3. That the said council shall meet on the first Monday after their election, to receive and examine the election returns; and at their first meeting they shall divide themselves by lot into two classes; the seats of the first class to be vacated at the first annual election; said class to consist of three members, to be re-filled by the election of two members for two years, and one member for one year; and the seats of the second class to be vacated at the second annual election, and to be re-filled by two members elected for two years, so that each year three members may be chosen, one for one year, and two for two years; and the said council shall appoint a president of their board, whose duty it shall be to preside at the meetings of the board, sign all orders issued by the board for the payment of legal and just claims; said board of council shall meet statedly once a month; a majority of whom shall constitute a quorum for the transaction of business; it shall be the duty of the burgess to convene the board as often as necessity requires; he shall be removable from office for misdemeanor, in the same manner that justices of the peace are removable under the constitution and laws of this commonwealth; and in case of death or resignation or removal of the burgess or other vacancy in any office, such vacancy shall be filled by a new election for his term of office, within ten days thereafter, by the council.

SECTION 4. That from and after the passage or enactment of this act the burgess and council duly elected as aforesaid, and their successors in office, shall be one body politic and corporate, by the name and style of the corporation of the borough of Middleport, and shall have perpetual succession, and be capable in law to have, acquire, receive, hold and possess goods, chattels, lands, tenements, rents, franchises, hereditaments, jurisdiction and liberties, to them and their successors, in fee simple or otherwise, and also to give, grant, sell, let and assign the same, and shall, by the name and style aforesaid, sue and be sued, plead and be impleaded in any courts of law in this commonwealth, in all manner of actions whatsoever, and also to have and use one common seal and the same from time to time, at their will, to change and alter; and the said inhabitants may and shall have hereafter, markets in the said borough, forever, on such days and as many in the week as the said corporation shall order and direct.

SECTION 5. That if any person duly elected burgess or member of the town council, or appointed or elected town clerk, street commissioner, high constable or other officer, and having received due notice thereof, shall refuse or neglect to take upon himself the duties of the said office, or shall neglect or refuse to discharge the same, after having taken upon himself the duties of the said office, every person so refusing or neglecting, shall

for every such offence forfeit and pay the sum of ten dollars ; which fine and all others incurred and made payable by this act, or by the acts of the corporation, shall be adjudged to be paid to the corporation, on conviction before any justice of the peace resident in said borough ; and when recovered, shall forthwith be paid to the treasurer of the said borough ; and it shall be the duty of all officers of the said borough, receiving money belonging to the corporation, to pay the same forthwith to the treasurer thereof : *Provided*, That no person shall be compelled Proviso. to serve more than one year in every term of three years ; and that if any person or persons shall conceive himself or themselves aggrieved by the judgment of any justice of the peace, by virtue of this act, he or they may appeal to the next county court of common pleas, upon giving security according to law, to prosecute his or their appeal with effect ; who shall, upon the petition of the party, take such order therein as to them shall appear just and reasonable, and the same shall be conclusive to all parties.

SECTION 6. That the members of the said corporation, high Oath. constable and all other officers created by this act, shall severally, before taking upon themselves the duties of their respective offices, take an oath or affirmation, before a judge or justice of the peace of the county of Schuylkill, to support the constitution of the United States, the constitution of the state of Pennsylvania, and to perform the duties of their respective offices with fidelity, certificates of which oaths or affirmations shall be filed among the papers of the corporation.

SECTION 7. That the town council shall have power to enact by-laws and make such rules and regulations and ordinances as By-laws shall be determined upon by the majority of the whole council, necessary to promote the peace, good order and general welfare of the inhabitants of the said borough, particularly for the providing for the regulation of markets, laying out, improving, repairing, keeping in order and regulating streets, roads, lanes and Regulation of streets, alleys, &c. alleys and removing nuisances and obstructions therefrom ; regulating the width of porches, steps, cellar doors or other devices that may encroach upon or project into any street, roads, lanes, alley or public highways ; ascertaining and regulating the depths of vaults, sinks or pits for necessary houses, and making permanent rules and regulations relative to the foundations of buildings, party walls and fences ; they shall have full power and Party walls, &c. authority to prevent and restrain the exercising or practicing of any trade or occupation, the exercise or practicing of which shall be dangerous to the health or property of the inhabitants ; they shall have power to impose fines, penalties, partial or total Fines, penalties, &c. forfeitures, and also to assess, apportion and appropriate such taxes as shall be determined by a majority of them, necessary for carrying the said rules and ordinances, from time to time, into complete effect ; and also to appoint street commissioners, treasurer and collector annually, and such other officers as may be necessary from time to time, to remove for misconduct, neglect or misdemeanor in office, excepting the burgess, who shall only be removable in the manner hereinbefore prescribed : *Provided*, That no rules, by-laws or ordinances of said corporation Proviso. shall be repugnant to the constitution and laws of the United

States and this commonwealth, and that no person shall be punished for a breach of a by-law or ordinance made as aforesaid, until ten days have expired after the promulgation thereof, by at least ten advertisements, set up in the most public places in said borough.

Tax, assessment
and collection of.

SECTION 8. That the general borough tax, rates and levies assessed, rated and levied by the said council, shall not, in any one year, exceed one per cent. in the dollar on the valuation of the property by the assessor and the assistant assessors, to be elected as aforesaid, to value and appraise, according to the best of their judgments, all property, and rate all single freemen, offices and professions within the said borough made taxable by the laws of this commonwealth, and to make out the returns of the said assessment in such form and within such time as the council, by ordinance, shall direct; and all taxes, rates and levies assessed, rated and levied by the council, shall be recovered in the same manner as the county rates and levies in the county of Schuylkill are or may hereafter by law be recoverable.

Paving, grading,
&c.

SECTION 9. That the said council shall have full power and authority, upon the application of two-thirds of the owners of property or lots fronting on any street, road, lane or alley, to pitch and pave, or lay with broken stone and gravel any such street, road, lane or alley, or to curb, pave, form or lay with brick, hard substances or gravel the footways and gutters of the same, and shall tax the property in front of which any such improvement shall be made with the expense thereof, in proportion to the extent of the same in front: *Provided*, That no application as aforesaid shall be for less than three hundred feet or more than one thousand feet of any street, road, lane or alley at one time: *And provided further*, That in all applications as aforesaid, the owners of an undivided estate shall be entitled to but one signature, and that no person, whatever may be the number of lots owned by him, shall be entitled to more than one signature on any such petition.

Proviso.

Proviso

Taxes for pitch-
ing, paving, &c.,
how recovered.

SECTION 10. That the said council are hereby authorized to recover the taxes for pitching and paving, laying with broken stone and gravel, and curbing, in the same manner that county rates and levies are or hereafter may be by law recoverable, or may institute actions for the recovery of such taxes or assessments, before any tribunal in the state having jurisdiction of the amount claimed, against the owner or owners of the property, or their legal representatives, in front of which such pitching and paving, laying with broken stone or gravel or curbing, mentioned in the ninth section of this act, shall be done; and the said council shall, and they are hereby authorized to recover legal interest from the time of making such assessment, together with commission of five per cent. for collecting the same.

By-laws

SECTION 11. That the said council shall have full power and authority to make by-laws and ordinances, to oblige the owners or occupiers of houses in the said borough, to provide and keep in repair any number of leather or tin buckets, not exceeding two, to be used only in extinguishing fires.

Taxes, relative
to collection of.

SECTION 12. That the burgess elected and qualified agreeably to this act, or his absence, refusal, neglect or inability to act, the president of the council is hereby authorized to issue his

SECTION 13. That it shall be the duty of the town clerk to attend all meetings of the town council, when assembled on business of the corporation, and perform the duties of a clerk thereto, and attest, keep and preserve the common seal and records of the corporation; and also to perform all the duties enjoined on him by this act, or by the acts of the corporation.

SECTION 15. That there shall annually be elected by the citizens of the said borough, qualified to vote as aforesaid, at the time of electing members of the town council, three citizens as auditors, who shall, within one month after their election, settle and adjust the accounts of the several officers of the said borough; and the said accounts being so settled and adjusted, shall forthwith be published by the corporation, showing particularly the amount of taxes assessed and collected, and of all moneys paid into the treasury, and the amount of and items of expenditures.

SECTION 17. That the territory within the limits of the said School district. borough shall be a separate election and school district, the election to be held at the same place in the said borough at which the borough elections are now ordered to be held, and in all other respects shall be separate from the township of Blythe, and every other township of said county, and that all jurisdiction and powers of the officers of said townships, from and after the passage of this act, shall cease and determine, except so far as to collect any taxes that may be due and owing to them from the inhabitants of said borough.

School directors, election of, &c. SECTION 18. That the qualified voters of the said borough shall at the first election for borough officers after the passage of this act, elect six citizens of the borough for school directors, who shall meet on the first Saturday after their election and divide themselves, by lot, into three classes; the term of the

Terms of service. first class to expire at the next annual borough election; the term of the second class to expire at the second annual borough election; and the term of the third class to expire at the third annual borough election; so that hereafter at the annual borough election two persons shall be elected for school directors who shall serve three years, and shall in all respects be governed by and subject to the laws of this commonwealth relative to common schools.

Compensation to election officers. SECTION 19. That the judge, inspectors and clerks of the elections held in the said borough, for borough purposes, shall be allowed each one dollar per day for their services in holding said elections; and shall be subject to the same fines and penalties, in case of fraud, as are provided in such cases by the general election laws of this commonwealth; and the council shall fix the compensation of such officers as shall be appointed or elected under this act, or the acts of the corporation, which compensation shall be paid out of the borough treasury by orders drawn on the treasurer, at such times and in such manner as the council by ordinance may direct.

Penalties.

Survey to be made of borough. SECTION 20. That the said council, so soon as the same can conveniently be done, shall cause an accurate survey to be made of the streets, lanes and alleys within the said borough, and when the survey shall be completed, shall cause two drafts or plans thereof to be made, with every explanation necessary to the full understanding of the same, one of which plans shall be deposited in the office of the clerk of the court of quarter sessions of the county of Schuylkill, for public inspection and examination, and the other to be kept with the papers of the corporation; and it shall be the duty of the chief burgess to give

Where to be deposited. notice in at least one newspaper printed in the county, that the said plans and surveys are completed, and the place where the said drafts are deposited for examination, and that on a certain day to be appointed, the council will hear any objection that may be made thereto; and the said council shall at the time appointed, adjudge and determine whether any and what alterations shall be made therein, and shall direct one of the said drafts or plans, authenticated by the president of council and town clerk, under the seal of the corporation, to be recorded in the office for recording deeds in and for the county of Schuylkill; and said survey and drafts so made and authenticated shall thenceforth be deemed conclusive as to the courses, widths and lengths of the streets, roads, lanes and alleys in the said drafts laid down and marked as public streets, roads, lanes and alleys shall be deemed and considered from thenceforth public highways, and the said drafts so made and recorded shall remain unalterable.

High constable, duties of, &c. SECTION 21. That it shall be the duty of the high constable to give notice of the annual election of the said borough, by setting up advertisements in at least five of the most conspicuous places in the said borough eight days previously thereto; he shall at-

tend and see that the same is opened in the manner directed in this act ; and it shall and may be lawful for the said high constable to perform all the duties and exercise all the authorities of the constables of the several townships of this commonwealth and within the said borough, and generally to do, execute and perform whatever else may be enjoined upon him by the council ; and the said high constable shall be entitled to the same fees, for the same services, that are by law allowed to other constables.

SECTION 22. That the inhabitants of said borough, and all persons holding property therein, shall be competent witnesses in all actions arising under this act or of the by-laws or ordinances of the corporation ; they may appeal to the next court of quarter sessions to be held for the county of Schuylkill, upon giving security to prosecute such appeal with effect ; and the said court having taken such order thereon as to them shall seem just and reasonable, the same shall be conclusive against all parties.

Actions arising under this act, relative to.

SECTION 23. That the said council shall, whenever the same shall appear necessary, appoint a sufficient number of persons as public officers to keep the peace of said borough ; who, during the time of their appointment, shall be invested with authority and entitled to the same privileges, emoluments and fees as the constables of the said borough are or shall hereafter be invested with or be entitled to by law.

Appointment of officers to keep the peace.

SECTION 24. That the council shall, whenever the same shall appear necessary, build, erect or provide and support a suitable building in the said borough to be used as a lock-up house or place of security for the temporary detention of persons committed by a justice of the peace of the said county, for any violation of the laws of this commonwealth, for which such person or persons could lawfully be committed to the common prison, there to remain and be kept until such offender can be conveniently conveyed to the county prison, or until he be discharged according to law : *Provided*, That no person committed by a justice of the peace shall be confined in said house for a longer period than forty-eight hours.

Lock-up house

Proviso.

SECTION 25. That it shall and may be lawful for the town council, and they are hereby authorized and required to assess and collect annually, on each and every dog and bitch owned or kept by an citizen or inhabitant of said borough, a tax to any amount not exceeding one dollar for the first dog or bitch owned or kept by any citizen or inhabitant of said borough, and not exceeding two dollars a head for the second dog or bitch, and so on, in proportion to the number kept by each citizen or inhabitant of said borough, as they may deem expedient and proper for the use of the said corporation.

Dogs, and the taxing of.

SECTION 26. That the citizens of the said borough shall be exempted from paying any or all of the township taxes of the township of Blythe, for property within the limits of the said borough, that may be assessed after the passing of this act.

Exemption from certain taxes.

SECTION 27. That Charles Bensinger, Elias K. Weber and John R. Porter be and the same are hereby authorized to give notice of the time and place of holding the first borough election, which said election shall be held within thirty days after the passage of this act.

Notice of first borough election

Repeal SECTION 28. That so much of any other act as is hereby altered or supplied, be and the same is hereby repealed, so far as relates to the borough of Middleport.

Company to elect officers, relative to SECTION 29. That this act and the powers and authorities herein vested in the said borough, shall not be impaired, affected or destroyed by any neglect or omission to elect or appoint all or any of its officers at the times allotted for the same.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 711.

A N A C T

To incorporate the Towanda Gas and Water Company.

Corporators

Style

Powers

Exclusive authority to supply gas and water

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* M. C. Mercur, Allen M’Kean, Gordon F. Mason, John F. Means, Ulysses Mercur, James M’Farlane, C. L. Ward, Joseph Powell, John A. Coddington, E. R. Myer, Wm. Mix and Joseph D. Montanye, and their successors and associates, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Towanda gas and water company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation, as hereinafter declared; and they and their successors may have a common seal and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

SECTION 2. That the said corporation shall have exclusive authority to supply with gas light or water, the borough of To-

wanda and its vicinity, in the county of Bradford, and such persons, partnerships and corporations residing therein, as may desire the same, at such price as may be agreed on; and also to make and erect, within or adjacent to said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed seventy thousand dollars, as the managers thereof shall deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable only by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation.

Capital stock.

Certificates of stock.

SECTION 4. That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy duly authorized, six managers, to serve until their successors shall be duly elected, which shall be annually on the first Monday in March thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for such share of stock *bona fide* held by him, her or them, in their own right, or as trustees, executors or administrators, at the time of holding said election.

Organization

Managers, election of.

Officers.

Votes.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulations, not inconsistent with the laws of this commonwealth; and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Managers, powers and duties of.

SECTION 6. That if any person or persons shall open a communication into the gas or water pipes of the said company, without authority from the proper officer thereof, or shall let on the gas or water after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the

Penalty for opening gas or water pipes without authority. &c.

same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation, to inspect at proper times and under circumstances the pipes, metres and burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than twenty, nor more than eighty dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

Penalty for injury to works or property.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done, any act or acts whatever, whereby any building, construction or works of said company, or any gas or water pipe, gas post or water hydrant, gas burner or reflector, or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days, nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit.

Proviso.

Instalments upon stock, relative to payment of

SECTION 8. That if any subscriber for stock to said company, or his, her or their assigns shall refuse or neglect to pay any instalment called for by the said company at the place appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain so long that the penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon may be disposed of by the said company as will best promote their objects.

May issue certificates of credit.

SECTION 9. That the managers of said company are hereby authorized to issue certificates of credit or evidences of indebtedness, for any sum or sums of money, not exceeding twenty thousand dollars at any one time, for the purpose of aiding them in the construction of their works and managing the business of the company; said certificate shall be signed by the president and attested by the secretary, and shall have such interest as may be agreed upon, not exceeding eight per centum per annum; said certificates shall be made payable at the office of the company within twenty years from the time of issuing thereof: *Provided*, That said certificates shall not issue for a less sum than one hundred dollars; and to secure the payment of said certificates there may be a mortgage given upon the real estate and effects, or any portion of the same of the said company, for the benefit of such person or persons as may at any time hold certificates: *Provided*, That stockholders of said company shall be jointly and severally liable in their individual capacities for all debts due mechanics, workmen and laborers employed by, and for material furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal

Proviso

Proviso.

company, approved April fifth, one thousand eight hundred and fifty-three.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 712.

AN ACT

To incorporate the Pittsburg, Allegheny and Manchester Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Bakewell, James Anderson, John Sampson, Lewis Hutchinson, William Bagaley, John E. Parke, H. Brady Wilkins, John Phillips, Charles H. Paulson, Jacob Eckert, James Holmes, John S. Hall, Robert M'Knight, Simeon Bulford, David Campbell, Robert S. Hays, Joseph Kirkpatrick, John Morrison, J. O. Bennett, Joshua Hanna, Samuel Cooper, William Kunkle, Joseph S. Brown, Robert L. Thompson, John B. Kennedy, William Robinson, Jr., William S. Spratt and Eccles Robinson, or a majority of them, be and they hereby are appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Pittsburg, Allegheny and Manchester Passenger railway company, with power to lay out and construct a railway of single or double track, for cars to be drawn by horse power, from the intersection of Penn and St. Clair streets, in the city of Pittsburg, county of Allegheny, and commonwealth of Pennsylvania; thence along St. Clair street and the Allegheny bridge to Federal street, in the city of Allegheny; thence along Federal street to Robinson street; thence to the intersection of Beaver street and Ohio lane, in the borough of Manchester, by either or both of the following routes, to wit: One of said routes along Federal street to Ohio street; thence along Ohio street to Water lane; thence along Water lane to Bagaley's lane; thence along Bagaley's lane to Ohio lane; thence along Ohio lane to said Beaver street; the other of said routes along Robinson street to Bank lane or street; thence along Bank lane or street, or both, to Rebecca street; thence along Rebecca street to Beaver street, in the borough of

Manchester, and thence along Beaver street to its intersection with Ohio lane aforesaid, with power to extend said railway along Beaver street to Strawberry lane; thence along Strawberry lane to the Allegheny and Manchester plank road; thence along said plank road to Wood's run; and the said company shall have power to convey passengers over the said routes, and shall have the right to purchase real estate, and to erect thereon such buildings and improvements as may be necessary or deemed expedient for the purposes and convenience of said company; and also to purchase the necessary equipments for the conveyance of passengers on the said railway.

May hold real
estate

Capital stock.

SECTION 2. That the capital stock of the said company shall consist of fifteen hundred shares, of fifty dollars each: *Provided*, That said company shall have power, by a vote of the stockholders convened for that purpose, to increase their capital stock as much as in their opinion shall or may be necessary to complete said railway, and to carry out the full and true intent and meaning of this act.

Letters patent.

Powers

SECTION 3. That when seven hundred shares of the stock shall have been subscribed, and five dollars paid in on each share, the said commissioners, or any five of them, shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each, to the governor of the commonwealth, who shall thereupon, by letters patent under his hand and the seal of the state, create and erect the said subscribers, their associates and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Pittsburg, Allegheny and Manchester railway company; and by the said name they shall have perpetual succession, with power to make a corporate seal, and the same to alter, modify and renew at pleasure; and to ordain, establish, and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property as may necessary and convenient to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch; and the same to exchange, barter, sell, let or lease on ground rent, mortgage or lease, or otherwise dispose of at their pleasure, and of suing and being sued, pleading and being impleaded by their corporate name, and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.

Organization

SECTION 4. That the persons named in the letters patent, or any five of them shall, as soon as conveniently may be after the same shall have been received, give at least ten days' notice in two or more daily newspapers printed in the city of Pittsburg, of a time and place to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose by ballot five managers, all of whom shall be citizens of

Allegheny county, who shall immediately choose one of their number to be president, all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each stockholder shall be entitled to one vote for every share of stock held by him or her. Proviso.

SECTION 5. That dividends of so much of the profits of said company as shall appear advisable to the directors thereof, shall be declared in the months of July and January, in each and every year, and be paid at the office of the said company, at any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividends impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities for the amount so divided; and each director present when such dividends shall be declared, shall be considered as consenting thereto, unless he or they enter their written protest upon the minutes of the board and give public notice of the same. Dividends

SECTION 6. That said company shall have power to raise on their bonds or other security, any sum of money not exceeding one-half of their capital stock actually paid in, for the purpose of carrying out the true intent and meaning of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars. May issue bonds.
Proviso.

SECTION 7. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and no such transfer shall operate to release a stockholder from liability to pay any instalments due or to become due thereon; and if any stockholder shall omit, for the space of three months, to pay any instalment which shall have been called for, the directors may either declare the share or shares of stock, on which the instalment or instalments are unpaid as aforesaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest at the rate of twelve per centum per annum, against the person or persons appearing by their books to be or to have been the owner or owners thereof. Transfer of stock,
relative to.

SECTION 8. That said company, in constructing their said railway, shall conform to the grades now established, or hereafter to be by law established, of the several streets traversed by said railway, and keep said streets from curb to curb in perpetual repair, at the proper expense of said company: *Provided*, That before said company shall use and occupy any of said streets, the consent of the councils of the city or borough within which said street lies, shall be first obtained by ordinances duly passed; and said councils may from time to time, by ordinance, establish such regulations in regard to that part of said railway lying within their jurisdictions respectively, as may be required for the paving, re-paving, grading, culverting and the laying of pipes along said streets, and to prevent obstructions thereon. Must conform to
grades of streets.
Proviso.

SECTION 9. That before using and occupying any portion of any plank road or bridge, if said railway company and said plank road company or bridge company shall fail to agree upon Occupying any
plank road or
bridge, relative
to.

the terms for the use thereof, the court of quarter sessions of Allegheny county shall, upon petition of either party, fix and establish the rate of compensation to be allowed to said plank road or bridge company, and the rate of compensation so fixed shall be final and conclusive; and at least ten days' notice of the filing of said petition shall be given to the opposite party.

May be used by
certain other
passenger rail-
way

Terms and con-
ditions

Proviso

Purchase of om-
nibuses, &c

Amount to be
paid upon cars
and dividends.

SECTION 10. That any passenger railway company now or hereafter incorporated, with authority to construct a passenger railway from the intersection of Ohio and Federal streets, in the city of Allegheny, to the borough of Duquesne, or Etna, or Sharpsburg, in said county, may connect with, use and occupy for the passage of such of their cars as shall run over the last mentioned or proposed road, for a distance of at least one mile from the intersection of Federal and Ohio streets aforesaid, that portion of the said road constructed or to be constructed by the Pittsburgh, Allegheny and Manchester Passenger railway company, situated between the intersection of Penn and St. Clair streets, in the city of Pittsburgh, and the intersection of Federal and Ohio streets, in the city of Allegheny, in common with said company, and upon the same terms, conditions and restrictions as the said company is herein authorized to use said road, upon paying to the said Pittsburgh, Allegheny and Manchester Passenger railway company one-half the cost thereof, to be ascertained and assessed by three disinterested persons, acting under oath or affirmation; one to be chosen by each company, those two to select a third, or in case they are unable to agree, the third shall be chosen by the court of common pleas of the said county; the decision of a majority, after hearing both parties, to be final and conclusive: *Provided*, That the said portion of the said road, and the streets over which it passes, shall be kept in repair at the joint cost and expense of both the said companies.

SECTION 11. That the said company, before commencing to carry passengers on said road, shall purchase, at the option of the owner, the stock of horses, harness, omnibuses, wagons and sleighs now owned and used by Mrs. Hartman, on the line of said route, or any part thereof, at a price to be assessed in the following manner: The said owner shall choose one disinterested person, and the said Pittsburgh, Allegheny and Manchester Passenger railway company shall choose another person, and the two thus chosen shall choose a third, who, together, shall be disinterested persons, and appraise such stock; and the value thus arrived at by a majority of said appraisers shall be final and conclusive.

SECTION 12. That the said company shall pay into the treasuries of the city of Pittsburgh and Allegheny, and the borough of Manchester, in sums proportioned to the length of said road within the corporate limits of each of said cities and borough, for and during the first five years after they commence running cars upon said road, twenty dollars per year for each car, and three per cent. of the dividends declared; for the second period of five years, thirty dollars per year for each car and five per cent. upon all dividends declared; and thereafter the sum of forty dollars per car and five per cent. of the dividends declared.

SECTION 13. That said railway company shall be required Gauge. to lay the track of their road of such a gauge as to be most convenient for the use of carriages passing over said road ; and in all cases the carriage or vehicle following the car shall have the right to the track, and the carriage or vehicle passing in the opposite direction shall be required to turn off the track.

SECTION 14. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses or other building or property of said company ; or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending shall forfeit and pay for every such offence the sum of five dollars, to paid into the county treasury ; but no such suit shall be brought unless commenced within sixty days after such offence shall have been committed ; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts as aforesaid. Penalty for injury to property.

SECTION 15. That the councils of said cities and borough shall have power to establish such regulations in regard to said railway as may be required, for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the streets used by said company, and to prevent obstructions thereon ; and the said company shall never obstruct the streets or roads over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines thereon. Paving, grading, gas and water pipes, relative to

SECTION 16. That the fare to be charged upon said road shall not exceed five cents for each passenger for any distance under two miles, and for any greater distance shall not exceed two and one-half cents per mile. Charge of fare.

SECTION 17. That said railway company shall, at the intersection of their road with any railroad upon which locomotives are used, cause their cars to stop before crossing the same, under a penalty of twenty-five dollars for each violation of this section. Cars to stop at certain points.

SECTION 18. That the said company shall commence the construction of the railway hereby authorized, within one year after the consent of the councils of the cities of Pittsburg and Allegheny shall have been given to the same, and shall complete the same to Manchester in two years thereafter. Limitation.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 713.

AN ACT

To incorporate the Washington Monument Association of the First School District of Pennsylvania.

Preamble

WHEREAS, Certain citizens of the city of Philadelphia have associated themselves together, for the purpose of erecting a monument in the city of Philadelphia to the memory of Washington, and are desirous of having corporate privileges conferred upon them for the purpose of more effectually carrying out and completing the object of their organization; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James H. Randall, Charles S. Close, Joseph Cooper, John H. Wheeler, George F. Gordon, William Allen, James N. Hoffman, Marcus A. Davis, Washington J. Jackson, William Wood, George L. Dougherty, Paul B. Carter, James Buck, James Freeborn, John R. Anguey, M. D., William H. Goring, M. D., Thomas S. Strouhouer, John Bassler, Thomas E. Harkins, Calvin H. Test, John Houston, M. D., Henry Mather, John Philbin and Gideon Clark, be and they are hereby created and erected a body politic and corporate in law by the name, style and title of the Washington Monument association of the First school district of Pennsylvania, and by that name shall have perpetual succession, be able and capable to take and hold either by gift, grant, devise, lease, or otherwise, for the benefit of the said association, any lands, real estate, goods, chattels, and sums of money which may come into their possession or control, and the same or any part thereof to grant, bargain, sell and convey whenever it may become necessary and proper so to do, for the purpose of carrying out the object of the association.

Style.

Powers

Further powers

Proviso.

SECTION 2. The said persons shall have power to have made and use a common or corporate seal, and the same to alter and renew as they may think proper; they shall also make and adopt such by-laws, rules and regulations as may be necessary or useful for the admission of persons as corporators, and to make all other laws and regulations for the good government of the corporation: *Provided,* The same are not repugnant to the constitution or laws of the United States or of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 714.

AN ACT

To incorporate the Ironton Railroad Company, in Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Christian Pretz, Samuel Lewis, Charles Eckert, John D. Lawall, Eli J. Saeger, William H. Blumer, Jesse M. Line, John Y. Bethel, of Allentown, Lehigh county, and Asa Balliet, Horace Balliet, Hiram Balliet, Joseph Schantz, Philip Strauss, Reuben Scheirer, Joseph Dubbs, Franklin P. Mickley, David Schadt, William Schadt, Thomas Laubach, Daniel Stechel, D. J. Franklin Deshler, James Newhart, Paul Balliet and Stephen Balliet, of North Whitehall township, in said Lehigh county, and Samuel Balliet and Denis Bowman, of Carbon county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name of the Ironton railroad company, with power to construct a railroad from the town of Ballietville, in North Whitehall township, in Lehigh county, Pennsylvania, to connect with the Catasauqua and Foglesville railroad, or with the Lehigh Valley, at such point as may be deemed expedient, and the privilege of extending the same to Ballietville, in the same township; and the said company shall be entitled to all the privileges, and subject to all the provisions prescribed by an act regulating railroads, approved February the nineteenth, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as may be provided by this act.

Commissioners.

Name
Route.

Subject to.

SECTION 2. That the capital stock of said company shall be one hundred and fifty thousand dollars, which the company may at any time, by a vote of the stockholders, increase to the amount of one hundred and fifty thousand more, and said capital stock shall then be three hundred thousand dollars.

Capital stock.

SECTION 3. That the number of directors shall be five, who, together with the president, shall constitute the board of managers. The election of president and directors of said company shall take place on the second Monday of October of every year, and at such place as the by-laws of the company shall direct.

Directors and
president, elec-
tion of

SECTION 4. That the directors may borrow money to an amount not exceeding one-half of their capital stock fully paid up, and issue bonds therefor, bearing interest not exceeding eight per cent. per annum, and secure the principal and interest of said bonds by mortgage on the real property and franchises of said company: *Provided*, That said bonds shall not be of a less denomination than one hundred dollars.

May borrow
money

Provided.

SECTION 5. That in all cases when said company and the owners of land cannot agree upon the amount of damages claimed,

Damages.

Proviso.

the said company may tender a bond, with good and sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages as the parties shall be entitled to receive, after the same shall have been agreed upon or assessed according to law: *Provided*, That in case the parties claiming damages refuse to accept the bond tendered by the company, the said company may, in any such case, present their bond or bonds to the judges of the court of common pleas of the proper county, or to any one thereof; and if the security of the said bonds shall be approved, they shall direct said bonds to be filed in the prothonotary's office of said court, for the benefit of those interested, whereupon the said company may enter upon and take possession of said lands for the construction of said road; in case the parties claimant shall refuse the amount tendered by the company for said damages, and he shall not recover by process of law a greater amount than shall have been tendered by said company, then and in such case the costs and charges of such proceedings at law shall be borne and paid by the parties claimant as aforesaid.

Land and materials owned by minors, relative to.

SECTION 6. That in all cases in which the owners of land and materials may be minors, it shall be lawful for the guardian of such owners to adjust the damages to be paid; and on payment of the amount, it shall be lawful for such guardian to release said company from all claims therefor, and to execute all necessary papers in the premises; in case said parties cannot agree, the said company may proceed as provided in the fifth section of this act.

May receive lands in payment of stock.

SECTION 7. That said company shall have power to receive in payment for stock and own any lands contiguous to their railroad containing iron ore or limestone, not exceeding in the whole five hundred acres.

Tolls.

SECTION 8. That said company shall have power to fix and establish the rates of toll for freight passing over their road: *Provided*, That said rates of toll and motive power charges on all and every kind of agricultural or farming produce, lumber and building materials, shall not exceed those rates prescribed by the charter of the said Catasauqua and Foglesville railroad.

Proviso.

Limitation.

SECTION 9. That if said company shall not begin their road within three years, and finish the same within five years after the passage of this act, then the same shall be dissolved and cease to exist, except so far as may be necessary to settle up the affairs and pay the debts of the said company.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 715.

AN ACT

To incorporate the Black Rock Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Hunsicker, Benjamin Rambo, Samuel N. Williams, Samuel G. Fry, William R. Rittenhouse, Henry A. Hunsicker, J. Warren Royer, Jacob Tysen, Joel Ebert, Henry H. Bechtel, John D. Hunsicker, Wright A. Bringhurst, Samuel Hunsicker, junior, Isaac Chrisman, Daniel R. Buckwalter, N. T. M'Veagh, F. W. Heckel, junior, Patrick Hughes, John Mullen, John Vanderslice, Nathan Wagoner, Jacob Clevenstine, Jacob Baugh, John Morgan, Samuel Kreamer, be and they are hereby created commissioners authorized to receive subscriptions to the capital stock hereby created, at such times and places as a majority of them may direct, previously giving at least three weeks' notice thereof, in one of the newspapers printed in the county of Chester, of the time and place when and where subscriptions will be received; and at the time of subscribing for said stock, two dollars on each and every share so subscribed, shall be paid to the commissioners, or some of them, by the person or persons so subscribing; which money shall be paid over to the treasurer of said company, as soon as one shall be appointed, and the residue of said subscription shall be paid in such instalments, and at such times and places, and to such persons as the president and directors of the company may direct.

Commissioners.

Subscriptions to capital stock.

SECTION 2. That when five hundred shares shall have been subscribed, the persons holding the shares are hereby created and incorporated into a company, by the name and style of the Black Rock bridge company, and by that name those who have subscribed and those that may hereafter subscribe, shall have perpetual succession, with all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock and the increase and profits thereof, and of enlarging the same, from time to time, by new subscriptions, in such manner as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing and holding, to them and their successors, in fee simple, any real or personal estate necessary for the erection of said bridge, and the same to sell and dispose of at their pleasure, and of suing and being sued, pleading and being impleaded in all courts of justice, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Style.

Powers and privileges.

SECTION 3. That the capital stock of said company shall be divided into shares of twenty dollars for each share, and shall not exceed twenty thousand dollars; and the subscribers to said capital stock shall pay the sum or sums of money for the shares by them held respectively, or by them subscribed, at such periods and in such instalments as the directors of said company may order or determine.

Capital stock.

Organization.	SECTION 4. That as soon as five hundred shares of the said capital stock shall have been subscribed, it shall be the duty of the commissioners to give notice, in one newspaper published in the county of Chester, of the time and place of meeting of the stockholders; who shall, on meeting, proceed to organize said company, and shall choose by ballot, or by proxy, one president, five directors, one treasurer and such other officers as they shall deem necessary to conduct the business of said company, until other officers shall be appointed; and the said president and directors shall make such by-laws and regulations for the government of said company as they shall think necessary and proper, consistent with the laws of this commonwealth, for the well ordering the affairs of said company, and for fixing upon a method to decide upon a site or location for said bridge; and each stockholder shall be entitled to one vote for each share by him or her held at the time of such election: <i>Provided</i> , That no stockholder shall have more than twenty votes; and the stockholders shall meet annually at such time and place as shall be fixed on by the president and directors, for the purpose of electing officers for the ensuing year.
By-laws.	
Votes	
Proviso	
May issue certificates of stock.	SECTION 5. That the president and directors first chosen shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of said company; which certificates shall be transferable at the pleasure of the holders, subject to the payment of any balance that may be due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company, to be kept by the treasurer for that purpose, shall be entitled to his or her just proportion of the capital stock, and of all the estate and emoluments of the company, in proportion to the number of shares by them held, and to vote at the meetings thereof as aforesaid; and the president and directors shall meet at such times and places as shall be agreed on, for the transaction of business; at such meetings four members shall constitute a quorum for transacting business; they shall keep minutes of their transactions, entered in a book provided for that purpose; and shall have authority to agree with and appoint engineers, artists, superintendents and agents, as they shall think necessary to conduct and erect a bridge across the Schuylkill river at or near Buckwalter's ferry, in Montgomery and Chester counties, and to complete the same, and fix the salaries, and determine the time the stockholders shall pay their instalments due on their respective shares; draw orders on the treasurer for money, the same to be signed by the president or chairman, and attested by the clerk; to make a towing path on said bridge, for the passage of boat horses or mules, should the same be required, and to do and transact all things that by this act, and the by-laws or regulations of the company may be lawful.
Transferable	
President and directors, powers and duties of.	
May enter upon lands for materials, &c.	SECTION 6. That it shall be lawful for the president and directors, their superintendents, engineers and workmen to enter on lands and enclosures, near the place where the bridge is to be built, and to dig gravel, quarry stone or gather sand necessary for building said bridge; also to enter thereon with wagons, carts, drays, sleighs or beasts of burden, and draught, and take, and carry off any material necessary in the construction of said

bridge, doing as little damage as possible, and making amends for any damage that may be done; which damage, if the parties cannot agree, shall be submitted to the decision of three disinterested freeholders, chosen by the parties, and if the parties cannot agree on the men, or if either party, on due notice, shall neglect or refuse to join in the choice, then said freeholders shall, on application of either party, be appointed by any justice of the peace within the proper county, not interested, who, after being sworn or affirmed according to law, shall assess or appraise the damages, and make report thereof to the justice who appointed them; and the said directors, or other persons by them employed, after the tender of the appraised value, may enter, dig, quarry and carry off any material necessary in the erection or repairing of said bridge: *Provided*, That said company shall not have power to enter upon any lands, or take or use any private property without first making compensation to the owner or owners thereof, or giving adequate security therefor.

Damages, how assessed and adjusted.

Proviso.

SECTION 7. That the president and directors of the said company shall keep just and fair accounts of all the moneys received by them in any way under the provisions of this act, and also of all moneys by them expended, and all voluntary contributions to said company, and shall at least once a year, or whenever called on, submit their accounts to the inspection of any or all of the stockholders.

Accounts, how to be kept, &c.

SECTION 8. That when a good and complete bridge shall have been erected over the river Schuylkill at the place aforesaid, the company, their successors or assigns, may demand and receive toll from travelers and others crossing the same, not exceeding the following rates, to wit: For every score of sheep or swine, eight cents; for every score of horned or muly cattle, twenty-five cents; for every horse or mule driven or led, three cents; for every horse or mule laden or unladen with rider, four cents; for every chair, chaise or sulky with two wheels and one horse, six cents; the same with two horses, twelve cents; for every dearborn wagon with one horse, five cents; for every chaise, coach, phaeton, chair, stage, wagon, coachee, or light wagon, with four wheels and two horses, fifteen cents; for either of the last named carriages or vehicles with four horses, twenty cents; for every other carriage of pleasure or burthen such rate of toll as the president and directors may agree upon; for every foot passenger crossing the bridge, one cent; and they shall cause to be put up and kept up in some conspicuous place at the gates of said bridge, a list of the rates of toll: *And provided*, That the bridge shall be so constructed as not to injure or obstruct in any manner the navigation of the Schuylkill river.

Tolls.

Proviso.

SECTION 9. That if any person shall wilfully cut, destroy, or remove from off said bridge, or any part thereof, any piece of timber, stone, plank, chain, bolt, or any materials whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending shall forfeit and pay for every such offence over and above the damage done to said bridge, the sum of twenty dollars, to be recovered with costs, in any court of competent jurisdiction as debts are now by law recoverable.

Penalty for injury to property.

- Accounts, tolls and dividends.** SECTION 10. That the said president and directors shall keep just and true accounts of all tolls received by their respective collectors of tolls for crossing said bridge, and shall make and declare a dividend of the profits and income thereof among all the stockholders of said company in proportion to the shares respectively held by each, deducting therefrom all contingent costs and charges, and such proportions of said income as may by them be deemed necessary for a contingent fund for repairing or re-building said bridge, and shall annually publish the dividends so made of the clear profits thereof among the stockholders, and shall give notice of the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly: *Provided*, That no dividends shall be declared until all the expenses of building and constructing said bridge shall be fully paid.
- Proviso.**
- Reservation.** SECTION 11. That the legislature shall have power to alter the rates of toll fixed by this act, and the directors may lessen the same whenever they shall deem it necessary for the well being of the company or community at large.
- Limitation.** SECTION 12. That if the company hereby incorporated shall not commence said bridge within three years, and complete the same within five years from the passage of this act, then this charter shall be null and void, except so far as to compel the said company to make reparations for damages.
- Location.** SECTION 13. That the said bridge shall not be located and erected within the distance of a half mile from a point at which David R. Buckwalter now owns and maintains a ferry, unless said company first obtain the assent of said Buckwalter, or his heirs and assigns, thereto; and in case the assent of the said Buckwalter cannot be so obtained, then, in that event, the said company shall choose one disinterested person, and the said David R. Buckwalter a second, and the persons thus chosen shall choose a third disinterested person, who, after being sworn according to law, shall go upon the premises and view and receive such other testimony as they may desire, and assess the damages, if any, which the said David R. Buckwalter may and shall sustain by reason of the erection of said bridge; and the valuation set and agreed upon by the said referees, shall be final and conclusive, and be paid by the said company before the erection of said bridge; and said assessment may be entered as a judgment against said company, in the court of common pleas of either county in which said bridge is located, and be of the same effect in law as any other judgment obtained by legal process.
- D. B. Buckwalter's ferry, relative to.**
- Repeal.** SECTION 14. That the legislature hereby reserves the right to alter, repeal or amend this charter: *Provided*, That no injustice be done to the corporators.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 716.

AN ACT

To incorporate the Fall Brook Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Magee, James H. Gulick and Duncan S. Magee, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Fall Brook coal company; and that as such they may have a common seal, with power to break, alter and renew the same at pleasure, to be able to sue and be sued, to plead and be impleaded, and enjoy all the rights, privileges and franchises incident to a corporation, with power to hold land and real estate, in fee simple or by lease, in the townships of Bloss, Union and Ward, in the county of Tioga: *Provided,* The amount of land they shall hold in fee simple shall not, at any one time, exceed six thousand acres, and with the power to have, hold, sell and exchange such personal property as may be useful and convenient in their business.

SECTION 2. That the said company shall have the right to mine and prepare for market, coal, iron ore, fire clay, and other minerals of their lands, to manufacture iron, fire brick, mineral oil, and other products of their minerals or lands, and to transport them to market and dispose of them, and to lease, sell and convey their land, and the minerals thereof, and to make all such improvements and erections as may be deemed necessary for their interests.

SECTION 3. That the said company shall have the right, also, to construct and operate a railroad from any portion of their lands, and to connect with the Tioga railroad, or any other railroad, at whatever point they may desire to, and the right to connect with the same: *Provided,* The length of said railroad shall not exceed fifteen miles, and that in the construction of said railroad, said company shall have all the powers and privileges, and be subject to all the limitations and restrictions of an act regulating railroad companies, approved the nineteenth day of February, A. D. one thousand eight hundred and forty-nine.

SECTION 4. That the capital stock of said company shall not be less than one thousand, nor more than three thousand shares, of one hundred dollars each, and they may increase the same from time to time, in such manner as their by-laws may provide, up to four thousand shares; and the said company may mortgage their property, real and personal, for loans to aid them in their business and operations, and issue bonds for the same, bearing an interest not exceeding seven per centum per annum: *Provided,* They shall issue no bond for a less amount than one hundred dollars.

SECTION 5. That the affairs of the said company shall be managed by a board of managers, to consist of at least three,

Corporators.

Style.

Powers.

Proviso

Further powers.

Authorized to construct a railroad.

Proviso.

Capital stock.

Mortgage and bonds.

Proviso.

Managers and officers.

and not more than seven stockholders, who shall elect one of their number president, and appoint such other officers as the interests and business of the company may require.

By-laws. SECTION 6. That the said company shall have power to make and establish all such rules, regulations and by-laws as they may deem necessary for conducting and managing their business, providing for the elections and meetings of the board of managers, defining the duties of the president and other officers, and otherwise, and the right to alter and amend the same in the manner and at the times they may provide, as the interests of the stockholders may seem to require: *Provided*, The same shall not conflict with the constitution and laws of this commonwealth.

Individual liability SECTION 7. That the stockholders of the said company shall be jointly and severally liable in their individual capacities and estates, for all debts due to mechanics, workmen and laborers employed by them, and for produce furnished said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three: *Provided*, They shall not be individually liable for any bonded debt of the company.

Subject to. SECTION 8. That the said corporation shall pay to the treasurers of the commonwealth, a tax of one-half of one per centum on the capital stock thereof, payable in four equal annual instalments, the first payment to be made within one year from the passage of this act, and shall also pay such taxes upon dividends as are or may be provided by law.

Tax to state. SECTION 9. That this act shall continue in force for twenty years, and no longer.

Limitation.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

—

I do certify, that the bill, entitled "An Act to incorporate the Fall Brook coal company," passed on the ninth day of March, Anno Domini one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the fifth day of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by said House.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

ATTEST:—S. J. REA,
Clerk of the House of Representatives.

—

I do certify, that the bill, entitled "An Act to incorporate the Fall Brook coal company," passed on the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine,

which has been disapproved by the governor, and returned with his objections to the House of Representatives, in which it originated, was approved by two-thirds of the Senate, on the seventh day of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by the Senate.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

ATTEST:—WM. H. MILLER,
Clerk of the Senate.

No. 717.

AN ACT

To incorporate the Belle Isle Salt Manufacturing Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Grant, junior, Charles M. Jackson, Samuel L. Ward, James S. Prinkle, Edwin Smith, E. Freeman Prentiss, George C. Barber, James Winter and Daniel B. Coleman, their associates, successors and assigns, be and they are hereby created a body politic and corporate, in law and in fact, by the name of the Belle Isle Salt manufacturing company, in and by that name to have perpetual succession, to adopt a common seal and alter the same at pleasure, to sue and be sued, to purchase and hold such real and personal estate as may be necessary for the prosecution of their business, and the same to sell and dispose of at their pleasure, and to make all such by-laws as may be necessary for the government and proper management of the affairs of said company, not repugnant to the laws of this state or of the United States.

SECTION 2. The object of said corporation shall be the manufacture of salt, at West Caicos, or other parts of the British West Indies, and the sale and disposal of the same at the place of manufacture or elsewhere.

SECTION 3. The capital stock of said company shall be one hundred thousand dollars, and shall be divided into one thousand shares of the par value of one hundred dollars each; the instalments thereon to be called in, from time to time, as the same may be needed; and said shares to be transferable, in person or by attorney, on the books of the company.

SECTION 4. The number, titles and functions of the officers of the said corporation, their terms of office and the times of their election, as well as the qualifications of electors, and the

ratio and manner of voting, and the periodical meetings of the said corporation, may be determined by the by-laws.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 718.

A SUPPLEMENT

To the act to incorporate the West End Insurance Company of Philadelphia, approved the twentieth of May, Anno Domini one thousand eight hundred and fifty-seven.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the corporate name of the West End insurance company of Philadelphia be and the same is hereby changed to that of the Guardian insurance company, and by the same shall hereafter be known as effectually, for all purposes, as if so named in the original act of incorporation, and be subject to all the responsibilities of, and possess and enjoy all the rights, powers and privileges heretofore granted to the West End insurance company.

Capital stock.

SECTION 2. That the capital stock of said United insurance company shall be fifty thousand dollars, with the privilege of increasing the same, at any time, to five hundred thousand dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 719.

AN ACT

To incorporate the Pittsburg and Birmingham Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Bernard Southe, Wm. M. Edgar, Will A. Lare, Thomas Goe-Commissioners.
ghagan, Samuel M'Kee, Robert H. Patterson, James Millinger, Charles Knass, John Chess, Oliver Ormsby, John Evans, John Small, James Barr, James Blackmore, J. F. Mackenzie, Samuel M. Winkersham, Jacob Ziegler, George W. Jackson, Alexander Spun, Algernon S. Bell, R. Biddle Roberts, John H. Stewart, A. H. Gross, Alexander Chambers, Robert M'Knight, John M'Donald Crossan, William M. Hirsh, Benjamin Singerly, Thomas Darage, Wm. H. White, James Lindsey, John M'Donald, Nathaniel Holmes, Andrew Fulton, C. S. Eyster, R. P. M'Dowell, Wm. B. Shaeffer, Wm. Lauffman, A. J. Davis, Daniel Carroll, John Brown, R. B. Carnahan, Samuel Crawford, Thomas M'Kee and George M'Lain, or a majority of them, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the capital stock of the company hereby incorporated, by the name, style and title of the Pitts-Style.
burg and Birmingham Passenger railroad company, with power to lay out and construct a railway, with a single or double track, with the necessary turn-outs, sidings and switches, from the intersection of Fifth and Smithfield streets, in the city of Pitts-Route.
burg; thence along Smithfield street to the Monongahela bridge; thence across the said bridge to Carson street, in the borough of South Pittsburg; thence along Carson street through the borough of South Pittsburg to Birmingham; thence along Carson street through the borough of Birmingham to East Birmingham; thence along Carson street and the Elizabethtown turnpike to Brownstown, in Allegheny county, with the right to connect their said road with and use so much of the Pittsburg and East Liberty Passenger road on Second, Third and Market streets, in the city of Pittsburg, as may be necessary, and upon such terms as the Pittsburg and East Liberty Passenger railroad company may agree to; and also with the right to connect their railroad with the Monongahela railroad, by a branch, and to use such part of the Monongahela railroad as may be agreed upon, and upon such terms as may be mutually agreed to; and further, to construct the said branch from their road on Carson street, in the borough of Birmingham, across the Birmingham bridge, to intersect said Monongahela Passenger railway on Second street, in the city of Pittsburg.

SECTION 2. That the capital stock of the said company shall consist of two thousand shares of fifty dollars each: *Provided,* Capital stock.
That the directors of the said company may, at any time, in-

crease the same to four thousand shares, if deemed necessary to complete their said road.

Letters patent.

Powers and privileges.

SECTION 3. That when one thousand shares of the stock shall have been subscribed, and five dollars paid in on each share, the said commissioners, or any five of them, shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each, to the governor of the commonwealth; and it shall be thereupon the governor's duty, by letters patent under his hand and the seal of the state, to create and erect the said subscribers, their associates, assigns and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Pittsburg and Birmingham Passenger railway company, and by the said name they shall have perpetual succession, with power to make a corporate seal, and the same to alter, modify and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth; and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property, as may be necessary or convenient, to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch, and the same to exchange, barter, sell, let or lease on ground rent, mortgage or lease, or otherwise dispose of at their pleasure; and of suing and being sued, pleading and being impleaded by their corporate name, and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.

Organisation of corporation.

Proviso.

SECTION 4. That the persons named in the letters patent, or any five of them, shall, as soon as conveniently may be after the same shall have been received, give at least ten days' notice in two or more daily newspapers printed in the city of Pittsburg, of a time and place, to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose by a majority of said subscribers by ballot, to be delivered in person, five managers, all of whom shall be citizens of Allegheny county, who shall immediately choose one of their number to be president, all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each and every member of said corporation shall be entitled to a vote for each and every share of stock held by him or her.

May issue bonds.

Proviso.

SECTION 5. That said company shall have power to raise on bonds, to be secured by a mortgage of the road, including all its stock and franchises, any sum not exceeding one-half of the amount of the capital stock authorized by this charter, for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.

SECTION 6. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and if any stockholder shall omit for the space of six months, to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock, on which the instalment or instalments are unpaid, as aforesaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest, at the rate of twelve per centum per annum, as debts of a like amount are recoverable against the person or persons appearing by their books to be the owner or owners thereof.

Transfer of stock,
relative to.

Instalments,
relative to pay-
ment and recove-
ry of.

SECTION 7. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July of each year, and be paid at the office of said company any time after ten days' notice from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired; and in case the directors shall declare a dividend exceeding the amount of the net profits and thereby impair the capital stock, they shall be held individually liable for all such excess.

Dividends.

SECTION 8. That the said railway company shall not be permitted to use and occupy any of the streets of the said city of Pittsburg or streets of said boroughs for the purposes of their railway, until the consent of the councils of said city and boroughs is first thereto had, by ordinance duly passed; nor shall the said company at any time alter or change the grade or line of any street, without the consent of the councils aforesaid first had and obtained; and the said company shall keep so much of the streets of the said city and boroughs, from curb to curb, as may be used and occupied by them, in perpetual good repair, at the proper expense and charge of the said company: *Provided further*, That the said company, for and during the first five years after they shall commence running cars upon said road, shall pay into the city treasury the sum of twenty dollars per year for each car run over their said road, and from thence thereafter the sum of thirty dollars per year for each car run over said road; and also for the first five years after they commence running cars upon said road, the said company shall pay into the city treasury three per cent. of the dividends or net profits of said company; and from thence thereafter said company shall pay into said treasury five per centum of the dividends or net profits of said company, which said tax, together with the sum paid for each car, shall be equally divided between the said city and the boroughs.

Consent of city
councils to be
obtained

Proviso.

SECTION 9. That before the said railway company shall use and occupy any portion of any turnpike, plank road, bridge or street, or road of any borough, if the said railway company and said turnpike, plank road or bridge company, or councils of any borough, cannot agree upon the terms for the use thereof, within thirty days from the organization of the said company, the said company may apply by petition to the court of quarter sessions of Allegheny county, setting forth the facts, and praying

Compensation for
the use of any
turnpike, plank
road or bridge,
relative to.

the court to appoint a time for the hearing of the parties, not more than twenty days from the filing of the said petition, of which time and place the opposite party shall have at least ten days' notice; and the court shall, immediately after hearing the said parties, proceed to fix and adjudge the rate of compensation to be allowed and paid by said company for the use of such turnpike, plank road, bridge or street, and the terms on which it shall be used, and the mode and manner in which the same shall be kept up by the respective parties, which judgment shall be and remain final and conclusive between the parties: *Provided further*, The said Pittsburgh and Birmingham Passenger railway company shall have full power and authority to make such changes in the grade of said turnpike, and plank roads, as may be required to enable them to use their railway with ease and convenience.

Proviso.

Gauge.

SECTION 10. That the said railway company shall be, and they are hereby required to lay the track of their said road of such a gauge as to be most convenient for the use of carriages and buggies passing over the said road; and in all cases the carriage or vehicle following the car, shall have the right to the track, and the carriage or vehicle coming in the opposite direction shall be required to turn off the track.

Penalty for injuring works, &c.

SECTION 11. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses, or other building or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending, shall forfeit and pay for every such offence the sum of five dollars, to the said company; but no such suit shall be brought, unless commenced within sixty days after such offence shall have been committed; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts as aforesaid.

Paving, culverting, laying gas and water pipes, &c. relative to.

SECTION 13. That the councils of Pittsburgh shall have power to establish such regulations in regard to said railway, as may be required for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the streets in said city used by said company, and to prevent obstructions thereon; and the said company shall never obstruct the streets or roads over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines thereon: *Provided*, That this section shall not be construed to prevent said railway company from running freight or burden cars drawn by horses, between the hours of nine o'clock at night and seven in the morning, on the said road, south of the Monongahela river.

Proviso.

Amount of fare fixed.

SECTION 13. That no greater fare shall be charged upon said road per passenger to or from Brownstown than ten cents; for any distance less than two miles, five cents, and for any greater distance, not more than two and one-half cents a mile, but in no case to exceed ten cents.

SECTION 14. That said railway company shall, at the intersection of their road with any railroad upon which locomotives are used, cause their cars to stop before crossing the same, under a penalty of twenty-five dollars for each violation of this section. Cars to stop before crossing railroad tracks.

SECTION 15. That the said company shall commence the construction of the railway hereby authorized within one year after the consent of the councils of Pittsburg shall have been given to the same, and complete the same to Brownstown within two years thereafter. Limitation.

SECTION 16. That before commencing to use said road said railway company shall purchase, at the option of the owners, the horses, omnibuses, sleighs and harness now used on said route, or any part thereof, on the southern side of the Monongahela river, at a price to be assessed in the manner provided in an act to incorporate the Citizens' Passenger railway company of the city of Pittsburg, approved the twenty-second of April, Anno Domini one thousand eight hundred and fifty-nine. Purchase of omnibuses, horses, &c. Subject to.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 720.

A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Bear Mountain Railroad Company, and for other purposes, passed thirteenth of July, one thousand eight hundred and forty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Bear Mountain railroad, as authorized by the act aforesaid and its several supplements, under the terms and conditions thereof, be and the same is hereby extended for the term of five years from the passage of this act; and the notice for the election of officers shall be sufficient if published for three weeks in two papers at Harrisburg.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 721.

AN ACT

Authorizing the Bostwick Iron Company to Mine Coal, et cetera.

WHEREAS, The Bostwick iron company of Corning, New York, organized November ninth, one thousand eight hundred and fifty-eight, under the general manufacturing law of the state of New York, are desirous of holding a limited quantity of real estate in Tioga county, Pennsylvania, for the purpose of carrying on the principal business of the incorporation; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Bostwick iron company be and the same hereby is permitted and authorized, by and in their corporate name, to purchase and hold lands and tenements, with their appurtenances, in Tioga county, Pennsylvania, and the same to sell, lease and convey: *Provided,* That said company shall not, at any time, hold or own exceeding two thousand acres of land with the improvements thereon.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 722.

AN ACT

Extending the time for the commencing of the Columbia and Octoraro Railroad beyond the time allowed by its act of incorporation and supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed in the act, entitled "An Act authorizing the governor to incorporate the Columbia and Octoraro railroad company," passed on the eighteenth day of April, A. D. one

thousand eight hundred and fifty-three, and the supplements thereto, passed the twenty-ninth day of March, A. D. one thousand eight hundred and fifty-six, entitled "An Act extending the time for commencing the Columbia and Octoraro railroad," be and the same is hereby extended for three years beyond the time allowed in the said recited acts; and the charter of the said company, and the several acts and laws relative thereto, or in any manner concerning the said railroad, which are now in force, shall be and remain in as full force as though the time in this act extended, had been allowed in the original act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 723.

AN ACT

To incorporate the Farmers' and Citizens' Hay and Straw Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Abel Penrose, Amos Twining, R. C. Davis, S. K. Ashton, J. M. Corporators. Smith, Samuel Davis, William Kirk, J. T. Ricketts, C. F. Norton, T. Iredell, O. P. Conover, J. Claver, David Fell, Henry Steele, John Derbyshire, John Clayton and Henry Grambo, of the city of Philadelphia, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Farmers' Style. and Citizens' hay and straw market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, either by absolute Powers. conveyance or upon ground rent, and in case of a conveyance upon ground rent, with power to execute the necessary covenant or covenants for securing the payment thereof, such real estate and also such personal estate as may be necessary and proper for the ownership, construction, proper use and management and maintenance of a market for the weighing of hay and straw,

in the city of Philadelphia, with full power, from time to time, to mortgage or sell and convey the said real and personal estate.

Object.

SECTION 2. That the object and purpose of said corporation shall be to erect, construct and maintain suitable buildings and scales, with all other things necessary for the weighing of hay and straw, at any place within the limits of the city of Philadelphia, the same to be used and appropriated as a public market for the weighing of hay and straw.

Capital stock.

SECTION 3. That the capital stock of said corporation shall consist of one hundred and fifty thousand dollars, to be divided into three thousand shares of fifty dollars each, and shall be in such form and be issued and transferred in accordance with such by-laws as the managers hereinafter mentioned may establish:

Proviso.

Provided, That said corporation shall have power to increase said capital stock to any amount not exceeding three hundred thousand dollars.

Election of managers, when held.

SECTION 4. That a general meeting of the corporators shall be annually held on the second Monday of January, for the election of five managers and the transaction of other business; but if such meeting shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given in at least two daily newspapers in the city of Philadelphia.

To be by ballot.

SECTION 5. That the election of managers shall be by ballot, from among the corporators, and that in the enactment of by-laws for the government of the corporation and its officers, and in the decisions of all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote once for each share of stock held by them.

Votes.

Term of office.

SECTION 6. That the managers shall continue in office until their successors be elected; shall elect a president from among themselves, and such other officers as they may deem necessary; shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators.

Vacancies.

Quorum.

Three members shall be a quorum at the meetings of said managers.

First managers.

SECTION 7. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have full power and authority as such.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 724.

A FURTHER SUPPLEMENT

To the act incorporating the Venango Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the completion of the Venango railroad is hereby extended until the twentieth day of April, one thousand eight hundred and sixty-five.*

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 725.

SUPPLEMENT

To an act to incorporate the Meadville Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Meadville gas and water company, as authorized by the act to which this is a supplement, shall be one thousand six hundred shares; and subscriptions of stock heretofore made, or accepted by said company, shall be deemed valid to all intents and purposes, as if the amount of the said capital stock had been limited to one thousand six hundred shares by the act to which this is a supplement, approved the thirteenth day of April, A. D. one thousand eight hundred and fifty-three.*

SECTION 2. It shall be lawful for the president and managers of said company to increase the capital stock to an amount not exceeding one thousand six hundred shares, for the purpose of supplying the borough of Meadville with water: *Provided, That nothing in this act shall be construed to discharge or relieve*

Capital stock,
relative to.

May increase
capital stock.

Proviso.

LAWS OF PENNSYLVANIA,

the said company from the duties and liabilities imposed by the provisions of the act to which this is a supplement.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 726.

AN ACT

In relation to Edith T. Greene, of Canton township, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the second section of the act approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one, as relates to Edith T. Greene, be and the same is hereby repealed.

Repeal

Legitimated

SECTION 2. That Edith T. Greene, of the township of Canton, in the county of Bradford, be and is hereby invested with all the legal rights of a legitimate child, and legal heir of David R. Cole and Betsy M. Cole, his wife, of the township and county hereinbefore mentioned.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 727.

A N A C T

To incorporate the Sunbury Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alexander Jordan, Peter W. Gray, Solomon Stroh, Benjamin Hendricks, John M. Simpson, R. H. Awl, Charles J. Bruner, George B. Youngman and J. H. Zimmerman, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted to be a body politic and corporate, by the name, style of the Sunbury gas company, to be located in the borough of Sunbury, Northumberland county, with a capital stock of thirty thousand dollars, to be divided into shares of fifty dollars each, and shall have the privilege of increasing their capital stock from time to time, as the board of directors may deem necessary, for the purpose of carrying out the true intent and meaning of this act, to be organized, managed and governed as provided by the act regulating gas and water companies, approved the eleventh day of March, A. D., one thousand eight hundred and fifty-seven, and subject to all the restrictions and provisions, together with the immunities contained in said act.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 728.

A N A C T

To incorporate the German Hall of Arts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.	Constantine Herring, Julius Hein, Henry Eggeling, Ernest Schaffer, W. E. Whitman, Frederick Staake, Frederick Gerkar, Israel Kohn, Julius Hein, L. A. Wollenweber, William Grossholy, G. Rosengarten, Daniel Gans, George Vogt, John P. Presch, F. W. Thomas, G. Krause, L. G. Heinemann, John Lachenmeyer, Edward Morwitz, Henry Tiedmann, William W. Weidersheim, Rudolph Koradi, Chr. D. Fricke, A. Schlemmer, Herman Legrange, Otto Maas, Jacob Langsdorf, Rudolph Stein, Simon Schloss, John Meier, Charles Neidhard, Nicholas Kolenkamp, Henry E. Wallace, Christophel Oxenreider, Robert Allcock be and they are hereby appointed commissioners, or some five of them, to do and perform the several duties hereinafter mentioned ; that is to say, they shall forthwith, after the passage of this act, procure a book or books, and enter therein as follows: We whose names are hereunto subscribed, do promise to pay to the German Hall of Arts the sum of fifty dollars for each share of stock set opposite our names respectively, in monthly instalments of five dollars each, to be paid on the first Tuesday of each and every month. Witness our hands, this day of , Anno Domini one thousand eight hundred and ; and shall thereupon give notice in two daily newspapers of the city of Philadelphia, for the space of one week, of the time and place when and where such book or books shall be open to receive subscriptions for the stock of the company ; at which time and place one or more of the said commissioners shall attend, from day to day, and receive subscriptions to the stock of said academy, to the amount of two thousand shares, when they shall be closed : <i>Provided</i> , That each subscriber shall, at the time of subscribing, pay to the attending commissioner or commissioners, the sum of five dollars on every share so subscribed, out of which money shall be paid the expenses of taking the subscription and incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, as hereinafter directed.
Duties.	
Shares.	
Notice to be given of time and place of opening books.	
Proviso.	
Subscriptions to stock.	SECTION 2 That when three hundred shares of the said stock shall have been subscribed, the said commissioners, or any five of them, shall certify, under their hands and seals, the names of the subscribers and the amount of stock subscribed by each of them to the governor ; and thereupon it shall and may be lawful for the governor, by letters patent, under his hand and seal of the state, to create and erect the persons who shall then have subscribed, into a body politic and corporate, by the name and style of German Hall of Arts ; by the said name the said subscribers shall have perpetual succession, and shall be capable of holding their capital stock, and the increase and profits thereof, and of enlarging the same by new subscriptions, in such manner and form as they shall think proper, to the amount of two thousand shares, and of purchasing and holding, to them and their successors and assigns, and of selling and transferring in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in carrying out the purposes of this act ; of making and having a common seal ; of suing and being sued ; and generally of doing all and every thing which a body politic or corporate may lawfully do.
Letters patent.	
Style.	
Powers.	

SECTION 3. That the persons named in the letters patent, or any three of them, as soon as conveniently can be, shall cause to be given at least ten days' notice, in two or more newspapers of the city of Philadelphia, of a time and place by them appointed, at which time and place the said subscribers shall proceed to organize the said corporation, and shall then and there in person, or by proxy, choose by ballot or ticket in writing, twelve suitable persons, members of the corporation, to be directors thereof for the year next ensuing, or until the next election.

Organization.

Election of directors.

SECTION 4. That the said directors shall meet at such time as they may agree, and shall at the first meeting after their election, or as soon thereafter as conveniently may be, choose one of their number president of their board for the ensuing year, and may also choose a treasurer, secretary, solicitor, and such other officers as they may deem expedient; seven directors shall form a quorum for the transaction of business; the directors shall have power to adopt such by-laws, rules and regulations, not inconsistent with the laws of this commonwealth, as may be deemed expedient for the well being of this corporation, and generally shall have all the authority, powers and privileges necessary and proper for the management of the affairs thereof: *Provided*, That they shall have no authority to take up loans, or to borrow money on the credit of the corporation, unless they shall have been authorized to do so by the stockholders at a general meeting.

Officers.

Quorum.

By-laws.

Proviso.

SECTION 5. That an annual meeting of the stockholders shall be held on the first Monday of March, for the purpose of choosing directors, and for the transaction of such other business as may come before them; of which annual meeting, the directors shall cause to be given at least ten days' notice in two newspapers of the city of Philadelphia; in all elections of directors, each stockholder shall have one vote for every share of stock which he may hold; at each annual meeting of the stockholders, the directors of the preceding year shall submit to the meeting a full and fair statement of the affairs and proceedings of the said corporation for such year, together with a full account of all moneys received and expended for the same; and they shall also produce for the inspection of the meeting, or such committee as it may be named, all books and accounts concerning the corporation; special meetings of the stockholders may be called by order of the directors, or by stockholders holding one-fourth of the capital stock, on like notice to that required for the annual meetings, specifying moreover the object of the meeting.

Annual meetings

Votes.

Statement of affairs, relative to.

SECTION 6. That the first directors chosen as aforesaid, shall issue a certificate to each stockholder for the number of shares he or she may subscribe for or hold in the said corporation, after five dollars a share shall have been paid thereupon, which certificate shall be transferable on the books of the corporation, either by the owner in person, or his attorney duly authorized, subject, however, to all payments due or to become due thereupon, and the person to whom the transfer shall be made, shall stand in the place of the former holder, and be entitled to the same privileges, and liable to the same responsibilities to the corporation.

Certificates of stock.

Monthly instal-
ments, relative
to

SECTION 7. That if any stockholder shall neglect to pay any monthly instalment at the time appointed, or within sixty days thereafter, the stock held by him may be forfeited to the corporation by a resolution of the directors, and may be sold by them to any other person or persons willing to purchase for such price as can be obtained therefor.

May establish a
school or insti-
tute, &c.

SECTION 8. That it shall and may be lawful for the directors of the said corporation, at such time as may be deemed expedient, to establish a school or institute of vocal and instrumental music, and drawing, painting and other fine arts, to employ suitable professors, or other instructors, for the teaching of such pupils as may be received into the same, and shall have power to make all needful and necessary regulations for the government of such school or institute.

Real estate

SECTION 9. That it shall and may be lawful for the said corporation to purchase and hold, or take on ground rent, such real estate as they may deem necessary for the purposes of this act, and to erect thereupon, and furnish a building or buildings suitable for the representation of musical and dramatic performances, and exhibitions of painting and statuary; and to lease the said building and appurtenances from time to time to such person or persons as they may deem proper, for the purpose of giving such representations, performances and exhibitions, and for exhibitions of paintings and statuary, or to employ or contract with persons for doing the same.

Duty of directors

SECTION 10. That the directors shall keep a just and true account of all moneys received, and shall make and declare dividends of so much of the net profits of the corporation as may seem advisable to them, after deducting costs, charges and expenses, but they in no case shall exceed the said net profits, so that the capital stock shall never be thereby impaired, nor shall they ever exceed the rate of six per cent. per annum on the par value of said stock.

Surplus, how to
be invested and
applied

SECTION 11. That if the clear profits of the corporation should in any year exceed six per cent. on the par value of the stock, then it shall be the duty of the directors to invest the surplus over and beyond said six per cent., in the loans of the state of Pennsylvania, or of the city of Philadelphia, for the purpose of forming and accumulating a fund, the interest of which shall be applied by the said directors to the support and assistance of old and disabled artists, who shall have resided not less than five years in the city of Philadelphia, and for the widows and children of such artists.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 729.

SUPPLEMENT

To the act to incorporate the Greenwood Cemetery Company of the borough of Tamaqua.

WHEREAS, By an act of assembly, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, Rowland Jones, William Donaldson, Richard Carter, Matthew Newkirk, F. M. Buck, John Hendricks, Reuben Heaton, Frederick Koll, Charles Mayer, Samuel Woodward, Edward Dubois, Henry Huhn and Benjamin Heilner were created a body politic in law, under the name and title of the Greenwood cemetery company of the borough of Tamaqua: Preamble.

And whereas, On account of some of the corporators being non-residents, and having no interest in the matter, and others since deceased, they have failed to carry out the object of said act of incorporation:

And whereas, The health of the citizens, as well as the want of room, requires that the dead should be buried beyond the contracted church lots in the heart of our borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act of assembly, entitled "An Act to incorporate the Greenwood cemetery company of the borough of Tamaqua," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, as relates to the powers and privileges conferred upon the corporators therein named, be and the same is hereby repealed. Repeal.

SECTION 2. That in lieu of the corporators named in said act, the following named persons, to wit: John M. Reinhart, William B. Bensinger, David D. Lewis, Nicholas Balliet, John Donaldson, Henry Huhn, M. P. Fowler, Henry Clayton, E. J. Fry, Michael Beard, Milton Bailey, W. W. M'Guigan, Henry Heelan, Lucien H. Allen, Rowland Jones, Henry F. Stidfole and George F. Wiggan, be and they and their successors, are hereby created a body politic in law, under the said name and title of the Greenwood cemetery company of the borough of Tamaqua, with all the powers, privileges and immunities contained in the act to incorporate the Meadville cemetery company, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-two: *Provided,* That the said corporators last named, or their successors, shall fully organize and have lots prepared for sepulture on or before the expiration of two years from the date of this act: *And provided further,* That the exemption from taxation of the property held or sold by said cor- Corporators. Name. Proviso. Proviso.

LAWS OF PENNSYLVANIA,

poration, shall only apply to the lots sold and dedicated for burial purposes.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 730.

A N A C T

To confirm the title of Charles Whitney and Asa Scott to certain lands in Warren county.

WHEREAS, Certain lands in Warren county, Pennsylvania, have been conveyed by different persons to railroad companies without the limits of this state, and said railroad companies are foreign corporations, incapable of holding lands in this state:

And whereas, Said railroad companies have conveyed a portion of said lands to Charles Whitney and Asa Scott; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title of, in and to the said lands so conveyed, or attempted to be conveyed by said railroad companies, to the said Charles Whitney and Asa Scott, shall not be held to be invalid, nor liable to escheat to the commonwealth, by reason of its being derived through said foreign corporations; and title acquired through a sale for taxes by the treasurer of Warren county, shall not be held to be invalid by reason of such conveyance, nor by escheat or liability to escheat to the commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 731.

A SUPPLEMENT

To an act to incorporate the Selinsgrove Bridge Company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Selinsgrove bridge company, which expired on the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, in consequence of failure to pay the enrolment tax, be and hereby is revived: Provided, That the enrolment tax thereon shall be paid within one year from the passage of this act.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 732.

A SUPPLEMENT

To an act to incorporate the Commercial Fire Insurance Company of Pennsylvania, approved the twenty-third day of February, Anno Domini one thousand eight hundred and forty-seven, now called the Safeguard Insurance Company of New York and Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for said company to insure against the loss of all kinds of cattle, live stock and valuable beasts, arising from death, either by accident, natural causes or diseases of any de-*

scription whatever, and to make all and every insurance appertaining thereto.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND FIFTY-NINE.

No. 1.

RESOLUTION

Relative to the Purchase of Purdon's Digest.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of Senate and House be authorized to procure a copy of the last edition of Purdon's Digest, for each member and clerk and assistant clerk of the respective houses, and that the state treasurer be and he is hereby authorized to pay the same out of any moneys in the treasury not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 2.

RESOLUTION

Relative to the Legislative Manual compiled by Jacob Ziegler.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Jacob Ziegler one thousand dollars, for one thousand copies of the Legislative Manual, compiled by him under a resolution of the House of Representatives, adopted at the session of one thousand eight hundred and fifty-eight, and that the said Zieg-

ler be and hereby is allowed to retain, to his own use, the copy right of said work.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 3.

RESOLUTION

Relative to the fitting up the Halls of the Senate and House of Representatives.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and required to pay to Jacob Ziegler, late clerk of the House of Representatives, the sum of thirty-eight hundred eighty-five dollars and twenty-five cents, for fitting up the hall of the House of Representatives, the same being the amount charged by Carryl and Company, of Philadelphia, for the same; and that the said state treasurer is hereby authorized and required to pay to William H. Miller, clerk of the Senate, the sum of thirty-one hundred and twenty-one dollars and twenty-five cents, for fitting up the Senate chamber, the same being the amount charged by Carryl and Company, of Philadelphia, for the same.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 4.

RESOLUTION

Relative to the payment of Claims allowed by the late Board of Canal Commissioners.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and is hereby directed not to pay any certificate issued by the late board of canal commissioners, for the payment of any claim allowed by said board subsequent to the nineteenth day of January, Anno Domini one thousand eight hundred and fifty-nine, until a special appropriation has been made for the payment of the same by the legislature of this commonwealth.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 5.

RESOLUTION

Relative to the pay of A. L. Linton, for services as Clerk to Contested Election Committee.

Resolved, That the state treasurer be and he is hereby authorized to pay A. L. Linton, the sum of three dollars per diem, from the fifteenth to the twenty-fifth of January, inclusive, and the usual mileage, for services as clerk to the committee on the contested election case between Francis Edwards, contestant, and Oliver Evans, respondent, of the Thirteenth representative district in the city of Philadelphia.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 6.

RESOLUTION

Relative to a copy of Geological Survey for the School Department.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the secretary of the commonwealth be and he is hereby directed to give to the school department a copy of Rogers' geological survey, if he has one unappropriated.*

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 7.

RESOLUTION

Of thanks to Mr. L. Hachette.

WHEREAS, It appears from the report of the state librarian that Monsieur L. Hachette, a citizen of Paris, France, has presented to this commonwealth, through Monsieur A. Vattemare, agent of international exchanges, a number of valuable books, charts, plates, and so forth:

And whereas, It appears from the above report that M. Hachette has been stimulated in choosing Pennsylvania as one of the states in the American Union, to which he has destined this valuable contribution to the system of international exchanges, by his estimation of the efforts made in this commonwealth for the improvement of public schools, and the diffusion of useful knowledge; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the thanks of this assembly are tendered to Monsieur Hachette, for his liberal donation, and that he is assured that his estimate of the efforts made in this commonwealth for the improvement

of public schools, and the diffusion of useful knowledge, is duly appreciated.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 8.

RESOLUTION

Relative to the pay of Theophilus Snyder, Sergeant-at-Arms of the Senate, for serving writs of election in the Thirteenth Senatorial District.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Theophilus Snyder, sergeant-at-arms of the Senate, the sum of one hundred and seventeen dollars.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 9.

RESOLUTION

To pay Thomas H. Porter, late a member from the county of Cambria, and J. H. Wells, Clerk of the Contested Election Committee.

SECTION 1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the speaker of the House of Representatives be au-*

thorized to draw his warrant on the state treasurer, in favor of Thomas H. Porter, late member from the county of Cambria, for his pay as a member, at the rate of seven dollars a day, from commencement of session to the third day of February, and the usual mileage, and ten dollars for stationery and newspapers.

SECTION 2. That the state treasurer be and he is hereby authorized and required to pay J. H. Wells three dollars per diem for his services as secretary in the contested election case of Proudfoot *vs.* Porter, being twenty-two days, as certified by the chairman of the committee in said case, together with the customary mileage.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 10.

RESOLUTION

For the pay of William E. Frazer, as Canal Commissioner.

WHEREAS, William E. Frazer was notified by the secretary of the commonwealth to appear here on the second Tuesday of January, one thousand eight hundred and fifty-nine, to assume the duties of canal commissioner, to which office the people had elected him; in consequence of which election and notice he arranged his business to serve the people in that position:

And whereas, The office has been abolished by an act of assembly; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and is hereby directed to pay William E. Frazer the sum of two hundred dollars, in full for his services as canal commissioner, out of any moneys not otherwise appropriated.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine

WM. F. PACKER.

No. 11.

RESOLUTION

To pay the Funeral Expenses of George W. Wood.

Resolved, (the Senate concurring,) That the state treasurer be and he is hereby authorized to pay to the chairman of the committees of the two houses, appointed to attend the funeral of the late George W. Wood, a member of the House of Representatives, for expenses incurred in the performance of that duty, and in shrouding in black the curtains and furniture of the House of Representatives, the sum of four hundred and thirty-seven dollars and seventy-five cents.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 12.

RESOLUTION

To pay D. R. M'Clain, late a Member of the House of Representatives.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay David R. M'Clain seven dollars per day, from the organization of the House until the sixteenth of February, together with usual mileage.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 13.

RESOLUTION

To pay the Expenses of the late Committee appointed by a Resolution of the House of Representatives of 1858, to investigate into the condition of certain banks.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and directed to pay to P. C. Gritman, Oliver Evans and R. P. Miller, the late committee appointed at the session of eighteen hundred and fifty-eight, to investigate into the conduct of certain banks, the sum of sixteen hundred and forty-one dollars and fifty-five cents, being the amount of the expenses of said committee.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 14.

RESOLUTION

Relative to the salary of George W. Wood, deceased, as a Member of the House.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be authorized and directed to pay to the legal representatives of George W. Wood, deceased, the amount to which he would have been entitled as a member of the House for the whole of the present session.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 15.

RESOLUTION

To direct the Surveyor General to issue a Patent to John Williams, Jr.

WHEREAS, J. R. Morrison, on the thirty-first day of December, one thousand eight hundred and fifty-three, paid to B. S. Schoonover, at that time a clerk in the surveyor general's office, the sum of fourteen dollars and seventy-one cents, in order to pay the same into the state treasury, it being the arrears of the purchase money and patent fees due the commonwealth by John Williams, Jr., on seventy-four acres ninety-two perches of land, being a part of two hundred ninety-nine acres eighty-seven perches surveyed on a warrant, dated the seventeenth day of January, one thousand seven hundred and eighty-eight, granted to John Williams, situate in Turbett township, Juniata county; and the said B. S. Schoonover never having paid the said money into the state treasury; therefore be it

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the surveyor general is hereby directed to issue a patent to the said John Williams, Jr., for said land, without the payment of the arrears of purchase money and patent fees into the state treasury.

SIMEON B. CHASE,

Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 16.

RESOLUTION

To pay the Clerk and Sergeant-at-Arms for serving with the committee to examine into the condition of certain Banks.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to the clerk and sergeant-at-arms accompanying the committee to in-

LAWS OF PENNSYLVANIA,

vestigate into the affairs of certain banks, to each the sum of two hundred dollars, in full for their services.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 17.

RESOLUTION

Relative to Clerk Hire.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the salary of the secretary of the late board of canal commissioners be continued whilst he is employed in arranging the books and papers of the office, and assisting in the preparation of the statement required by the fourth section of the act abolishing the office of canal commissioner; and that the state treasurer be authorized to pay the same out of the unexpended balance of the appropriation made by the act of the twenty-first of April, one thousand eight hundred and fifty-eight, for the pay of canal commissioners, and the contingent expenses of their office: Provided, That the said employment shall not continue for a longer period than six months from the passage of this act, and that the said compensation shall be at the rate of one thousand dollars per annum.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 18.

RESOLUTION

For the pay of L. Rogers, Clerk in the Contested Election case of Matthews
vs. M'Clain.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay L. Rogers, for services as clerk of the committee in the contested election case of Matthews vs. M'Clain, three dollars per day for thirty-eight days, with his usual mileage: Provided, That the amount of said per diem and mileage shall not exceed the sum of one hundred and fifty dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 19.

RESOLUTION

To pay George H. Lenhart and Jacob P. Hoffman, Folders in the House.

WHEREAS, By the amendment of the committee of conference to the appropriation bill, injustice has been done to George H. Lenhart and Jacob P. Hoffman, two of the folders in the House; therefore,

Resolved by the Senate and House of Representatives, That the sum of one hundred dollars, the same as is paid extra to assistant door-keepers, be paid to George H. Lenhart and Jacob P. Hoffman, each, and the clerk of the House shall draw his warrant on the state treasurer for the same.

SIMEON B. CHASE,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 20.

RESOLUTION

Relative to the pay of Pastors and Folders of the House.

WHEREAS, Thomas Martin, Theodore Thomas and Wilber Sheppard, were employed as folders to the House of Representatives during the present session of the legislature:

And whereas, No provision has been made to pay them as such; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized to pay the said Thomas Martin, Theodore Thomas and Wilber Sheppard the same amount that is allowed to the other folders, including extra allowance of ten dollars.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 21

RESOLUTION

Authorizing the State Treasurer to pay to the Treasurer of Armstrong county the deficiency of the Militia Fund, to which the several Companies in said county are entitled.

WHEREAS, It appears from the statement, under oath, of Samuel Crawford, treasurer of the county of Armstrong, that there is a deficiency in the military fund of said county, amounting to the sum of one thousand three hundred and fifty-one dollars, owing to the neglect of the former treasurers to notify the state treasurer of their annual deficiency; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and directed to pay to Samuel Crawford, treasurer of the county of Armstrong, the sum of one thousand three hundred and fifty-one dollars; which sum

shall be disbursed by the aforesaid treasurer of the county of Armstrong, agreeably to the provisions of an act of assembly, approved twenty-first April, Anno Domini one thousand eight hundred and fifty-eight.

W. C. A. LAWRENCE,
Speaker of the House of Representatives.

JNO. CRESSWELL, JR.,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

APPENDIX—1856.

No. 733.

A N A C T

To incorporate the Bedford Iron Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That William P. Schell, Samuel H. Tate, Hezekiah Easton, Lewis T. Watson, Thomas S. Fernon, J. Rundle Smith, John W. Geary and their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title</p>
Name and capital.	<p>of the Bedford iron company, with a capital stock of one hundred thousand dollars, with power to increase the same to two hundred thousand dollars, to be divided into shares of fifty dollars each.</p>
Election of officers.	<p>SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be the president, who shall be chosen by the stockholders ; the first election shall be held within two years after the passage of this act, of which election public notice shall be given at least three weeks in one newspaper published in the county of Bedford ; and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given ; all elections shall be by ballot, and every share of stock subscribed and paid in shall entitle the holder to one vote, in person or by proxy : <i>Provided,</i> That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected ; and in case of resignation or death of any director, the remaining directors shall elect a person to serve until the next annual election.</p>
Votes. Proviso.	<p>SECTION 3. That the corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure, and by the style and title aforesaid, and shall be capable in law to sue and be sued before any court of this commonwealth, and may do and make all needful rules, regulations and by-laws, for the well ordering of the business affairs of the corporation, so that the same in nowise conflict with or be contrary to the laws and constitution of this commonwealth or of the United States.</p>
Privileges.	
Lands.	<p>SECTION 4. That the said corporation shall be able and capable in law to take, receive and hold, in fee simple, or to lease lands in Bedford county, not exceeding two thousand acres at one time, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof ; and the capital of the</p>

company may be employed in mining ore, making and manufacturing iron, mining coal and limestone, and transporting and vending the same, and for such other objects as may be necessary in the prosecution of said business.

SECTION 5. That the stock of said company may be transferred, agreeable to the by-laws which may be adopted by the corporation. Transfers.

SECTION 6. That dividends may be declared and paid whenever the directors deem it advisable, but said dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation in their individual capacity, for the excess so divided and paid; and the said company shall pay into the treasury of the state a bonus of one-half of one per centum upon the amount of the capital stock, and any increase of the same, payable in four annual instalments, the first thereof shall be paid in one year from the date of the organization of said company, and shall pay such tax on dividends as is or may hereafter be imposed by law. Dividends.
Bonus.

SECTION 7. That subscriptions of stock may be paid in real and personal estate, appropriated to the business contemplated by this act, at a *bona fide* cash valuation to be agreed upon by a majority in interest of the subscribers and stockholders; and the said corporation may issue bonds, and sell the same at their market value, notwithstanding it may be less than par, but no bond shall be issued for a less amount than one hundred dollars. Subscription.

SECTION 8. That said company be and they are hereby authorized to erect a dam in the Juniata river, at or near the ore lands of said company, in Bedford county, in such manner as shall do no damage to private property. Authorized to
erect dam in Ju-
niata river.

SECTION 9. That the stockholders of said company shall be jointly and severally liable in their individual capacities and estates, for all the debts contracted, or other liabilities of the said company, except for loans contracted or incurred during the time the said stockholders respectively own their stock, or are beneficially interested therein. Liability.

SECTION 10. That this act shall not go into effect until three hundred shares shall have been subscribed and paid in, of which a statement containing the names of the subscribers and the amount subscribed by each, shall be given to the governor; whereupon, he shall issue letters patent to the corporators.

SECTION 11. That the charter shall continue in force for the period of twenty years from the date hereof; and the legislature reserves the right to amend, alter or repeal it at any time, in such manner, however, as shall do no injustice to the company nor to any individual thereof. Limitation.
Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WILLIAM M. PLATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAS. POLLOCK.

APPENDIX—1857.

No. 734.

A N A C T

To incorporate the Home Manufacturing Company of Philadelphia.

Corporators.

Limitation.
Style.

Powers.

Proviso.

Proviso.

Capital stock.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Robert Selfridge, William H. Phelan, Samuel Martin, George W. Richards, R. L. Martin, J. B. Hughes, Joseph Wood, John M. Coleman, T. W. Price, R. S. Reed, David George, W. S. Martin, James Donnelly, W. A. Simpson, and such persons as they or a majority of them shall associate with them, and their successors, be and are hereby constituted a body politic and corporate, for the period of twenty-five years from the passage of this act, under the name and style of the Home manufacturing company, and in their corporate capacity shall have power to manufacture yarns and goods from cotton, wool, silk, flax, hemp or other textile materials, and the same to sell and dispose of at pleasure; and the said company shall be capable in law to sue and be sued, plead and be impleaded in all manner of suits, and to purchase, take and hold, to them and their successors, lands, buildings, tenements, machinery, fixtures, materials, securities, chattels and effects, and to erect buildings, and to sell, lease, alien or dispose of any of the property of said company, and to make such by-laws, not being contrary to the constitution and laws of this commonwealth, as may be necessary for the good government and management of said company: *Provided, That* nothing herein contained shall be considered as in any way giving to said company banking privileges, but they shall be confined to the business aforesaid: *And provided further, That* the real estate held by said company shall only be such as may be necessary or convenient for the manufacturing operations of said company, except such as shall be taken in satisfaction of debts *bona fide* due said company.

SECTION 2. That the capital stock of said company shall consist of one hundred thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, to be divided into shares of one hundred dollars each; and the said company shall have the right to receive machinery, fixtures, lands, buildings or materials in payment of said stock, at a valuation fixed by the board of directors: *Provided, That* no increase of the capital stock shall be made, except at a meeting of

the board of directors, called specially for that purpose, of which meeting at least two weeks previous notice shall be given, in at least two daily newspapers published in the city of Philadelphia: *And provided further*, That this company shall not go into operation until they have certified to the governor the amount of capital stock subscribed, and the amount paid thereon. Proviso.

SECTION 3. That the affairs of said company shall be managed by a board of directors, consisting of such number of the stockholders, not less than five, as shall be determined by the by-laws of said company, and a president and treasurer, who shall be elected by the board of directors; the president and board of directors shall have power to select and employ such agents, superintendents, workmen and persons as may be necessary for the prosecution of said manufacturing business. Directors.
By-laws.

SECTION 4. That the first election for directors of said company shall be held at the time of the organization of the same, at the first meeting of the corporators after the passage of this act, and thereafter at least once in every year, at such time as shall be fixed by the by-laws, of which notice shall be given, for at least two weeks prior to said election, in two daily newspapers published in the city of Philadelphia; the election for directors shall be by ballot, and each stockholder shall be entitled to vote according to the number of shares held by said stockholder, in the following ratio, namely: For each share, not exceeding two shares, one vote; for every two shares above two, and not exceeding twenty-four, one vote; for every two shares above twenty-four, and not exceeding forty-eight, one vote; for every four shares above forty-eight, one vote; no share shall confer the right of voting, whilst any instalment called for by the company is due thereon and unpaid, nor which shall have been transferred within three months previous to the election, nor unless *bona fide* held by the person in whose name it appears, in his own right, or that of his wife, or as executor, administrator, trustee or guardian; and all votes by proxy shall be on the terms and conditions of the several acts of assembly regulating proxies. Election, relative to.
Votes.

SECTION 5. That dividends of so much of the net profits as the directors think advisable, may be declared as soon after the settlement of the books, on the first of January, as may be convenient, and be paid to the stockholders, or their legal representatives, at any time, on demand, after the expiration of twenty days from such declaration; but the dividends shall, in no case, exceed the net profits actually acquired by the company, as exhibited by their books and accounts. Dividends.

SECTION 6. That the said company shall be required to pay to the state treasurer, for the use of the state, a tax of one-half of one per cent. on the capital stock thereof, to be paid in four annual instalments, the first to be paid within six months after this act of incorporation shall go into effect, and the remaining instalments at intervals of twelve months each, and shall pay such tax on dividends as is or may be provided by law. Tax to state.

SECTION 7. That the stockholders of said company shall be individually liable for all sums of money due to the workmen, agents, clerks and persons employed by said company in the manufacture of the products of said factory; and shall further Individual liability.

be liable, jointly and severally, for all debts and contracts made by said company, to the amount remaining unpaid on the shares of stock by them respectively held.

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 735.

AN ACT

To incorporate the Washington Fire Company of Germantown, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the persons who shall, at the time of the passage of this act, be members of the association called the Washington fire company of Germantown, in the city of Philadelphia, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Washington fire company of Germantown, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere, and to purchase, receive and hold, and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, and the same from time to time to sell, grant, devise, alien or dispose of in such manner as may be required for the purposes of said corporation: *Provided,* That the clear yearly value or income of the necessary houses, lands and tenements, rents and annuities, or other hereditaments and real estate of the said corporation, and the interest of the money by it lent, shall not exceed the sum of two thousand five hundred dollars; and also make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said cor-

Corporation established.

Style.

Powers and privileges

Yearly value or income

Seal.

By-laws.

poration, and the due management and ordering of the affairs thereof: *Provided further*, That said company shall not exercise *Proviso*. any banking or discounting privileges.

SECTION 2. That the object of the said corporation shall be *Object*. the promotion of the general good, by the extinguishment of fires.

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 736.

A FURTHER SUPPLEMENT

To the act incorporating the Navigation Railroad Company, approved April twentieth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time now allowed for the commencement and completion of the Navigation railroad be and is hereby extended for a further term of three years. Time for completion extended

SECTION 2. That the said Navigation railroad company be and are hereby authorized to borrow any sum of money not exceeding five hundred thousand dollars, at any rate of interest not exceeding ten per centum, and to secure the lender by a mortgage, and to issue bonds or other evidences of debt so secured, and sell the same, if necessary, at less than their par value. May borrow money, &c

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 737.

AN ACT

To incorporate the Penn Haven and White Haven Railroad Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That John Welsh, A. S. Roberts, John Ely, John H. Brown, George W. Hamersly, James Cox, James S. Cox, E. A. Douglass, A. G. Brodhead, David Thomas, H. B. Berryhill, J. G. Fell, Asa Packer, H. B. Wright, Ziba Bennett, G. M. Hollenback, J. N. Conyng-ham, William S. Ross, William R. Maffett be and they are hereby appointed commissioners to receive subscriptions and
Style.	organize a company by the name, style and title of the Penn Haven and White Haven railroad company, with power to con-
Route.	struct a railroad from a point on the Beaver Meadow railroad, at or near Penn Haven, to the Lehigh and Susquehanna railroad.
May connect with adjacent railroads.	at or near White Haven, in Luzerne county, with the authority to connect the same with any other adjacent railroads in the
Proviso.	counties of Carbon or Luzerne: <i>Provided,</i> That no part of the said railroad shall approach within ten feet of the works of the Lehigh coal and navigation company, along the valley of the Lehigh, except in crossing the navigation of said company with
Capital.	bridgways, which in all cases shall be constructed of a height at least equal to that of the bridges constructed by the said company.
	SECTION 2. That the capital stock of said company shall be six hundred thousand dollars, divided into shares of fifty dollars each, with privilege to increase the same, from time to time, to an amount sufficient to complete their road and provide the same with all the necessary cars, locomotives, machinery, depots, water stations, et cetera.
May pay interest to stockholders.	SECTION 3. That the directors of said company are hereby authorized to pay to the stockholders entitled to receive the same, interest, at the rate of six per centum per annum, on all instalments paid by them, until the work is completed and in operation, which interest shall be charged to the cost of the road; and the stock of said road shall not be subject to tax in consequence of said payment of interest.
Borrow money.	SECTION 4. That the directors of the said company may borrow money to an amount not exceeding six hundred thousand dollars, and issue their bonds therefor, either with or without coupons,
Bonds.	in sums not less than one hundred dollars each, and secure the payment of the principal and interest of said bonds by a mortgage or mortgages upon the road, property and franchises of the said company; and the said directors may make the said bonds convertible into stock at par, if such course shall be deemed ad-
Mortgage	vantageous to said company: <i>Provided,</i> That the declaratory act, passed the twenty-fifth day of February, one thousand eight hundred and fifty-six, respecting the interest on loan certificates

issued by any railroad or canal company, together with the eleventh section of the act of July twenty-sixth, one thousand eight hundred and forty-two, referred to therein, shall extend and be applied to the certificates issued under the present act.

SECTION 5. That any railroad, navigation and coal companies, connected with, or adjacent to the said Penn Haven and White Haven railroad, shall have power to subscribe to, or purchase the stock and bonds of said company. Certain companies authorized to subscribe to stock.

SECTION 6. That in all cases where the said company and the owners of lands and materials cannot agree upon the amount of damages claimed, either for land or material, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay, or cause to be paid, such amount of damage as the party shall be entitled to receive, after the same shall have been agreed on by the parties, or assessed according to law: *Provided*, That in case the party or parties claiming damages, refuse to accept the bond or bonds tendered by the said company, the said company may, in such case, present their bond or bonds, to the court of common pleas of the proper county, or to any one of the judges thereof; and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of the said court, for the benefit of those interested; whereupon the company may enter upon, or take possession of such land and materials. Damages, how settled and adjusted. Proviso.

SECTION 7. That said company shall be entitled to all the privileges, and subject to all the restrictions imposed by an act, entitled "An Act regulating railroads," approved the ninth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as otherwise provided in this act. Subject to.

SECTION 8. That if the said company shall not commence their road within three years, or complete the same within six years from and after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs and pay the debts of said company. Limitation.

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 738.

A N A C T

To incorporate the Leverington Cemetery in the Twenty-first Ward of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles Thomson Jones, Nathan Levering Jones, Horatio Gates Jones, Anthony D. Levering, Maurice M. Levering, James F. Nicholas, Joseph H. Hoffman, John F. Preston, Charles H. Sutton, John Omensetter, Charles E. Graeff and James Bowker, be and they are hereby made a body politic and corporate in law, under the name, style and title of the Leverington cemetery company, and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, and to do all such other things as are incident to a corporation.

SECTION 2. That the first four persons named above shall be managers of said Leverington cemetery company, and shall have power to lay out and ornament the grounds of said company, and to make such by-laws, rules and regulations relative to the election and duties of managers, and their successors; the appointment of suitable officers and agents, and their several duties and compensations, and to make such rules and regulations from time to time for the government of lot holders and visitors to the cemetery, as they may deem necessary: *Provided*, That the extent of said ground to be appropriated for the purposes of a cemetery shall not exceed thirty acres.

SECTION 3. That the said Leverington cemetery company shall be able and capable in law, if it shall seem to them expedient, to purchase and hold said thirty acres of land, and to sell and dispose of the same; and also to have and to hold so much personal estate, and no more, as may be necessary for the purposes of this incorporation.

SECTION 4. That no public streets or roads shall hereafter be opened through the lands of the said corporation occupied as a burial ground.

SECTION 5. That if any person or persons shall open any tomb or grave in the lands of the Leverington cemetery company, and clandestinely remove, or attempt to remove any body or remains therefrom, such person or persons upon conviction thereof, shall be sentenced to undergo an imprisonment in the prison of the county of Philadelphia at hard labor, for a term of not less than one year nor more than five years, and pay a fine of not less than five hundred dollars, at the discretion of the court of quarter sessions of the peace for the county of Philadelphia; and any person who shall wilfully destroy, mutilate, deface, injure, or remove any tomb, monument, grave stone or other structure placed in the cemetery aforesaid, or any

Corporators.

Style.

Powers

Proviso.

Real and personal estate.

Streets or roads, relative to.

Penalties for injuring property, &c.

fence or railing or other work for the protection or ornament of the said cemetery, or of any tomb, monument, grave stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut or break or remove any tree, shrub or plant within the limits of the said cemetery, or shall shoot or discharge any gun or other fire-arms within said limits, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof before any alderman of the city or county of Philadelphia, be punished by a fine, at the discretion of the alderman, according to the aggravation of the offence, of not less than five nor more than fifty dollars, or shall on conviction thereof in the court of quarter sessions of the said county be punished by a fine as aforesaid, and by imprisonment according to the aggravation of the offence, at the discretion of the court, for a term of not less than six months or more than three years.

SECTION 6. That every lot in the said cemetery shall be held by the proprietor for the purpose of sepulture, transferable only with the consent of the president and managers thereof, and shall not be subject to attachment or execution: *Provided*, That the exemption from attachment or execution shall not extend to more than four lots held or owned by any one person in the said cemetery. Exemption.
Proviso.

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 739.

A N A C T

To incorporate the Johnstown Woollen Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* H. B. Hixon, Jacob Stutzman, William Ream, Samuel Good, Daniel J. Morrell, George S. King, S. L. Gorgas, F. Tesh, George W. Kern, Emanuel Shaffer, Abraham Stutzman, Lewis Dormaiyer, Moses Dubbs, Isaac Kauffman, Samuel Keagy, Daniel Goughnour, (M.) W. W. Harris, James Cooper, Samuel Cain, Lewis Benshoof, Jacob Mincely, or any five of them, be and they are hereby created commissioners, authorized to receive subscriptions to the capital stock hereby created, at such times Commissioners.

Subscriptions to capital stock.	and places as they may direct, previously giving at least two weeks' notice thereof in a paper printed in Cambria county, of the time and place, when and where the subscription shall be received; which subscriptions shall be paid in such instalments, and in such times and places, and to such persons as the president and managers of the company may direct.
Subscriptions.	SECTION 2. That when forty shares are subscribed, the persons holding the same are hereby created and incorporated into
Name and powers	a company, by the name and title of the Johnstown Woollen manufacturing company, and by that name those who have subscribed, and those that may hereafter subscribe, shall have perpetual succession, with all privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing and holding to them and their successors, lands, tenements, hereditaments and estates, in fee simple, and any real or personal estate that may be necessary and convenient to them in the erection of their buildings, and the same to sell and dispose of at their pleasure, and of suing and being sued, pleading and being impleaded in all courts of justice.
Capital stock.	SECTION 3. That the capital stock of said company shall not exceed ten thousand dollars, and shall be divided into shares of twenty-five dollars each; and the subscribers to said capital stock shall pay the sum or sums of money for the shares by them held respectively, or by them subscribed, at such times, and in such instalments, as the directors of said company may order or determine.
Organization and election.	SECTION 4. That as soon as forty shares of the said capital stock shall be subscribed, it shall be the duty of the commissioners to give notice in one paper printed in Cambria county, for two weeks, of the time and place of a meeting of the stockholders, who shall, on meeting, proceed to organize the said company, and shall choose by ballot, in person or by proxy, one president, five directors, four of whom shall be a quorum, one treasurer, and such other officers as they shall deem necessary to conduct the business of said company until other officers shall be appointed; and the said president and directors shall make
Quorum.	such by-laws and regulations for the government of said company, as they shall think necessary and proper with the constitution and laws of this commonwealth, for the well ordering of the affairs of said company; and each stockholder shall be entitled to one vote for each share of stock by him or her held at the time of such election, if the number shall not exceed five, and one vote for every two shares above five, and not exceeding nine, and one vote for every five shares above nine, until the number of votes amount to twelve, and that no person shall be entitled to more than twelve votes; and the stockholders shall meet on the last Saturday of December in every year, at such place as shall be fixed on by the president and directors, for the purpose of electing officers for the ensuing year.
By-laws.	
Votes	
Certificates of stock.	SECTION 5 That the president and directors first chosen shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of said company; which certificates shall be transferable at the pleasure of the holder, in person or attorney, subject to the payment of any

balance that may be due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company to be kept by the treasurer for that purpose, shall be entitled to his or her just proportion of the capital stock, and of all the estate and emoluments of the company, in proportion to the number of shares by them held, and to vote at the meetings thereof, as aforesaid; and the president and directors shall meet at such times and places as shall be agreed on for the transaction of business; at such meetings four members shall form a quorum for transacting business; they shall keep minutes of their transactions entered in a book, and do and transact all things by this act, and the by-laws and regulations of the company that may be lawful.

Transfer of,
relative to.

SECTION 6. That the president and directors of said company shall keep just and fair accounts of all the moneys received by them in any way under the provisions of this act, and also all the moneys by them expended, and all voluntary contributions to said company; and shall, at least once a year, or whenever called upon, submit their accounts to any or all the stockholders.

Accounts, rela-
tive to.

SECTION 7 That no enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others, not enumerated, which are necessary to the proper fulfilment of the design and purpose of this corporation, and not inconsistent with the express provisions and limitations thereof, or of the constitution and laws of this commonwealth or of the United States.

Enumeration of
powers, relative
to.

SECTION 8. That the stockholders of the said company shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them respectively, and also for all debts due mechanics, workmen, and laborers employed by and for materials furnished to said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

Individual lia-
bility.

SECTION 9. That the said corporation shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law; and this act shall continue in force for a period of twenty years and no longer, unless renewed by the legislature.

Subject to.

Bonus.

Limitation.

J. LAWRENCE GETZ,
Speaker of the House of Representatives.

DAVID TAGGART,
Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

No. 740.

A N A C T

To incorporate the Octoraro Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M. Kelton, David Wright, George Lefever, Jacob Fox, Alexander Holten, John Richards, Mark A. Hodgson, D. J. H. Cunningham, David Hays, Jr., Samuel Morris, Samuel Dickey, Joseph Murdaugh, D. W. Hutcheson, Samuel J. Dickey, James Hays, of Chester county, and Jeremiah Brown, Levi Kirk, James Patterson, Joseph Taylor, Enos Pennock, John P. Hosland and Vincent King, of Lancaster county, be and are hereby appointed, and they, or any thirteen of them, are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be located in the borough of Oxford, in the county of Chester, to be called the Octoraro Bank, with a capital stock of two hundred thousand dollars, to be divided into four thousand shares, of fifty dollars each; the said bank to be organized, managed and governed as is provided by the act, entitled "An Act regulating banks," approved on the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and to be subject to all the provisions and restrictions, and to enjoy all the privileges and immunities contained in the same. The legislature hereby reserves the power to alter, revoke or annul the charter hereby granted, whensoever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators: *Provided, That* said bank shall pay into the treasury of the commonwealth one per centum on the amount of its capital within one year after its organization.

J. LAWRENCE GETZ,

Speaker of the House of Representatives.

DAVID TAGGART,

Speaker of the Senate.

—

EXECUTIVE CHAMBER, }
Harrisburg, December 29, 1857. }

To Hon. A. G. CURTIN,

Secretary of the Commonwealth:

SIR:—The foregoing act of the general assembly, entitled "An Act to incorporate the Octoraro Bank," was presented to me on the 19th day of May last, and not having been returned to the legislature, with my objections, within three days after

their last meeting, it has become a law agreeably to the constitution.

You are therefore hereby directed to cause it to be enrolled and published, upon the payment of the enrolment tax due upon it.

JAS. POLLOCK.

APPENDIX—1858.

No. 741.

A N A C T

To extend the charter of the Perry County Mutual Fire Insurance Company, and for other purposes.

Extension of
charter.

Reservation.

Additional remedies provided for
collecting assessments, &c

Proviso

Managers and
election of

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled “An Act to incorporate the Perry County mutual fire insurance company,” approved the eighteenth day of April, one thousand eight hundred and forty-three, together with all the acts supplementary thereto and connected with the same, be and the same are hereby extended for the period of twenty years from the eighteenth day of April, one thousand eight hundred and sixty-three, the legislature reserving the power to alter, revoke or annul the same when in their opinion it may be necessary for the public welfare, in such manner that no injustice be done to the corporators.

SECTION 2. That in addition to the remedies heretofore provided, it shall be lawful for the said company in their corporate name, to sue for and recover before any justice of the peace of the county in which the party insured shall reside, on any assessment made or to be made, on premium notes held by said company, in like manner as other debts are now by law recoverable before justices of the peace; and further, to declare the insurance of any member of the said company forfeited, in case payment be not made within thirty days after publication of such assessment and demand: *Provided however,* That before any justice of the peace shall take cognizance of such claim, said company shall file in the office of said justice a statement, attested by its secretary, showing the date of the assessment, the name of the party insured, and the number of the policy or premium note on which such assessment is due, and that the same has been demanded at least ten days before suit is brought, and which statement so filed shall be deemed affirmative evidence sufficient to establish the demand of the company, unless defeated by opposing evidence on the part of the insured; and that no forfeiture declared as aforesaid, shall release any member from his, her or their obligation to pay any back assessments remaining due and unpaid at the time of such forfeiture.

SECTION 3. That the powers of said company shall after its next election be vested in twelve managers, four of whom shall

be chosen by ballot, as heretofore, at the annual meeting of said company, to hold their office for three years: *Provided*, That it Proviso. shall be lawful for said company at its next annual meeting, to elect twelve managers, whose term of office shall expire as follows, to wit: Four at the end of one year; four at the end of two years; and four at the end of three years; the persons thus elected to determine by lot at their first meeting after their election, which of their number shall serve for one, two and three years, as aforesaid.

SECTION 4. The president of said company shall have a vote Vote of president in the said board in any case, except when his vote on any question might render the same a tie; in all such cases he shall not be entitled to vote.

SECTION 5. All acts, original or supplementary, granted to Repeal the Perry County mutual fire insurance company, inconsistent with the foregoing, are hereby repealed.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 742.

A N A C T

To incorporate the Supreme Grand Council of the Independent Order of the Sons of Malta of Eastern Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry C. Howell, Robert O. Lowry, Dendy Sharwood, Owen Corporators. Evans, George W. Wood, Alexander Murphy, Norwood Penrose, Benjamin Ripperger, Samuel Williams, Charles Hallowell, Morton M'Michael, Richard Vaux, David Webster, William Badger, William C. Bridges, John W. Forney, George Plitt, Gideon G. Westcott, George H. Martin, Charles W. Carrigan, George Magee, Titian J. Coffey, Henry Souther, D. K. Jackman, Andrew G. Curtin, John Cresswell, junior, Robert Lamberton, Henry S. Magraw, George T. Thorn, Edwin T. Chase, George Connell, James S. Fletcher, Joseph M. Cowell, George G. Presbury, junior, Daniel C. Mudge, Henry A. Stiles, Enoch R. Hutchinson, Richard Price, junior, Marshall A. Jones, George H. Roberts, John Dover, Thomas Joseph Tuille, Thomas E. W.

	<p>Bailey, Charles Oakford, Joseph M. Thomas, Joseph S. Piersol, Peter Maison, Daniel Deal, James M. Leddy, Peter Lyle, Joseph P. Loughhead, William B. Mann, William E. Lehman, William Curtis, Thomas Helm, William B. Schnider, Charles A. Rubicam, William Rice, John W. Horner, Horace L. Peterson, John R. Webster, Thomas J. Diehl, John Diehl, John O'Brien, Manlius Evans, Washington J. Keith, Rowland Evans, James Montgomery, Alfred Rogers, Sullivan J. Meredith, William Schott, Samuel Pleasants, Edward Pleasants, Alfred P. Scull, Francis Blackburne, Callender J. Lewis, Attwood Smith, A. R. Benner, J. Wesley Bray, Henry C. Troutman, John Rodman Barker, Theophilus B. Peterson, Mark M. Muckle, Frederick W. Grayson, John Savage, George J. Furniss, John D. Winslow, Jacob Colladay, H. A. Chadwick, William M'Kibbin, John West, Andrew Staley, Paul B. Goddard, Edward Hooper, Robert J. Hemphill, Robert P. King, Wetherill Lee, George D. Wetherill, Samuel Spang, Edward W. Robbins, Henry D. Baylard, John W. Horner, William B. Goddard, James Sykes, George Russell, David Williams, G. Parker Cummings, James Orr, John Summerfield Waters, Edwin A. Lewis, Robert Southwayd, George M. Lanman, John A. Hiestand, Jonathan T. Marshall, Isaac Powell, Lewis Bitting, Benjamin Dusenberry, C. Lewis Fright, A. L. Hough, Henry G. Leisenring and Stephen N. Winslow, and such other persons as now are or may hereafter become members of the Minnehaha Lodge and Supreme Grand Council of the Independent Order of the Sons of Malta of eastern Pennsylvania, and their successors, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the aforesaid name, style and title, and by that name and title shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, and shall be able and capable, in law and in equity, to receive, take and hold, for the use of the said corporation, lands, tenements, hereditaments and estates, real and personal whatsoever, and the same to grant, bargain, sell, transfer, assign, mortgage and convey in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have and use a common seal, and the same to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of said corporation.</p>
Style.	
Route.	
Object and design.	<p>SECTION 2. That the object and design of said corporation shall be the collection and disbursement of moneys for works of charity, the relief of the poor and unfortunate of this commonwealth, without any distinction of sex, color, age, politics, nationality, country or religion, in such manner and form as the said corporation shall deem proper, and to encourage the feeble and inexperienced to persevere in the paths of rectitude and virtue: <i>Provided however</i>, That the said corporation shall not be allowed to collect and have on hand at any one time a charity fund exceeding the sum of fifty thousand dollars: <i>And provided further</i>, That the net annual income arising from the real estate of the said corporation shall not exceed the sum of five thousand dollars.</p>
Proviso.	
Proviso.	

SECTION 3. That the said corporation shall have power to adopt a constitution and make by-laws, and the same to amend, alter or repeal at pleasure: *Provided*, That such constitution and by-laws are not inconsistent with this charter or with the constitution of the United States or the constitution and laws of this commonwealth.

Constitution and
by-laws.
Provide.

SECTION 4. That the said corporation are hereby empowered to take and receive real or personal property, by gift, devise or bequest, and no misnomer of said incorporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto; the same, however, to be always subject to the provisions of this act.

Real and per-
sonal property.
Misnomer.

SECTION 5. That the said corporation shall have power to institute subordinate lodges in Philadelphia city and county, and in the counties of Delaware, Chester, Montgomery, Bucks, Lehigh, Berks, Northampton, Monroe, Schuylkill, Carbon, Lebanon, Lancaster, York, Adams, Cumberland, Dauphin, Northumberland, Columbia, Luzerne, Wyoming, Susquehanna, Bradford, Lycoming, Tioga, Union, Centre, Mifflin, Juniata, Franklin, Perry, Clinton, Potter and M'Kean, in such form and manner as they may deem proper: *Provided however*, That such subordinate lodges shall not have any of the rights and privileges of a corporation, in virtue of such institution.

Subordinate
lodges, power to
institute.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 743.

A N A C T

To Change the Name of the Allegheny Institute and Mission Church.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the name of the Allegheny institute and Mission church, located in the county of Allegheny, be and the same is hereby changed to Avery college, by which name and title it shall enjoy all the corporate rights and privileges granted in the original act of in-

corporation, approved the twentieth day of March, one thousand eight hundred and forty-nine.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 744.

SUPPLEMENT

To an act to incorporate the M’Kean County Railroad Company.

Authorized to
consolidate road
with Allegheny
navigation com-
pany.

Name.
Subject to.

Consolidation,
how consum-
mated.

Powers.

Provide.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the M’Kean County railroad company are hereby empowered to consolidate their railroad company with the Allegheny navigation company, the consent of two-thirds in number and value of the subscribers to the capital stock of both companies being first given to such consolidation by writing, to be filed among the records of the company; such consolidated company shall be hereafter known by the name, style and title of the M’Kean railroad and navigation company, and shall possess all the powers, and be subject to all the liabilities of both companies; the said Allegheny navigation company is hereby authorized to enter into such consolidation, by consent of two-thirds of the subscribers to the capital stock given in writing, as aforesaid; the consolidation to be consummated on agreement between the president and directors of the M’Kean County railroad company and the commissioners, or any five of them named in the act incorporating the Allegheny navigation company.

SECTION 2. That said consolidated company shall have authority to improve and use, as part of their navigation, so much of the Allegheny river, in the county of M’Kean, as can be made available for that purpose, by deepening, clearing and straightening the channel thereof; to construct and use docks, landings and schutes for the transshipment of coal or other commodities, and to transport all articles of freight that may be offered for that purpose, over any part of their works; and so soon as five consecutive miles of their works are prepared for use, said company shall have the right to charge and collect tolls for the use thereof, as provided by law: *Provided, That nothing herein*

contained shall be construed to authorize said company to charge toll on arks and rafts descending the Allegheny river.

SECTION 3. That for the purpose of aiding in the construction of their works, and in order to ensure the speedy commencement and completion of the same, said M'Kean railroad and navigation company is hereby authorized to receive, hold, lease, mortgage and sell such lands situated in the counties of M'Kean, Potter and Elk, along and in the vicinity of said railroad and its branches, as may be donated or otherwise granted for that purpose; and said company is hereby authorized to borrow any sum of money, not exceeding fifteen hundred thousand dollars, at a rate of interest not exceeding ten per cent. per annum on the bonds of the company, to be secured by mortgage on the whole or any part of their works, lands and franchises, and may sell or dispose of said bonds on such terms, and at such rates as may be agreed upon between the parties; and may at any time confer, on the holders of the same, the right to convert the principal and interest thereof into stock of said company.

May sell and mortgage lands. &c.

May borrow money.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 745.

AN ACT

Chartering a Water Company in Centre Hall, Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Witmer, Peter Durst, William Wolf, George Durst, Jared Murry, James P. Wilson and John Neff be and they are hereby appointed commissioners, and they, or a majority of them are hereby authorized to carry into effect the establishment of a water company, by the name, style and title of the Centre Hall water company, to be located in or near the town of Centre Hall, in the county of Centre, with a capital stock of five hundred dollars, to be divided into shares of five dollars each; to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and be subject to all the restric-

Commissioners.

tions and provisions, together with all the rights and privileges in said act, or any supplement thereto.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 746.

AN ACT

To incorporate the Bedford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Job Mann, E. L. Anderson, Nicholas Lyons, W. T. Daugherty, John Cessna, C. E. Shannon, S. L. Russell, Daniel Washabaugh, Samuel Davis, V. Steckman, John Hafer, Josiah D. Shuck, F. C. Reamer, Wm. Hartley, W. H. Watson, John Alsip, Isaac Mengle, Alexander King, F. Jordan, John Mower, Samuel H. Tate, Joseph W. Tate, W. P. Schell, B. F. Myers, J. H. Rush, David Over, David Patterson, Joseph Sellers, George Smith, Wm. Chenowith, Samuel Defibaugh, Charles Smith, Asa Silvers, John Watson, Charles Colfelt, David Mortimore, Henry Hoke, John G. Hartley, George Smouse, Wm. States, Matthew Peebles, Jacob Barndollar, James R. Barndollar, Thomas H. Murray, Daniel Sams, John Nyeum, David A. T. Black, George Megraw, J. C. Everhart, Thomas King, James Piper, George Wishart, John Lutz, Charles Stuckey, George W. Gump, Wm. Tod, John Sill, Samuel S. Stuckey, Joseph Mortimore, John M'Vicher, Isaac Clark, Josiah Miller, Cornelius Devore, J. M. Buchanan, John Miller, George Elder, A. B. Bunn, A. J. Snively, John S. Schell, Emanuel Statler, John S. Statler, James Burns, John Clark, Charles Colvin be and they are hereby appoint commissioners to open books, receive subscriptions of stock and organize a company by the name, style and title of the Bedford railroad company, with all the powers, and subject to all the duties, restrictions and regulations prescribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of May, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered and supplied by the provisions of this act: *Provided, That it shall be lawful*

Commissioners.

Style
Powers
Subject to.

for any three commissioners named in this section, immediately after the passage of this act, to open books for receiving subscriptions to the capital stock of said company; and said subscriptions shall be made payable to the treasurer of said company, in twelve monthly instalments, the first thereof to be paid within thirty days after letters patent shall have been issued by the governor: *And provided further*, That it shall be lawful for Proviso. any railroad company whose road is located, or which may hereafter be located in the counties of Bedford, Somerset or Huntingdon, to subscribe to the capital stock of said company to any amount, not exceeding one hundred and fifty thousand dollars.

SECTION 2. That the capital stock of said company shall consist of five thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the Capital stock. stockholders, at a meeting called for that purpose, to increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act, of which meeting two weeks' notice shall first be given in a paper published in Bedford, stating the object of such meeting; and for the purpose of completing and equipping the said railroad, the said company shall have the power of issuing, from time to time, bonds, in the corporate name and under the common seal of said company, with coupons attached to the same, payable at such time, on such terms and at such rate of interest, not exceeding seven per centum per annum, as they may deem expedient; said bonds shall not exceed in the whole the sum of five hundred thousand dollars; and it shall be lawful for the said company, to secure the payment of said bonds and coupons, to execute a mortgage on all or any part of the real property of Bonds. said company; and if the mortgage shall so stipulate, the president and directors of said company, and their agents, may continue in possession and management of the said property so mortgaged, without prejudice to the security of said mortgage; and the said company may sell and dispose of the bonds by this section authorized to be issued, for the best price or prices which can be obtained for the same, and the purchase of said bonds so to be issued as aforesaid, shall not be deemed usurious; and the said bonds may, with the consent of the holders thereof and the directors of said railroad company, be converted into the capital stock of said company at par: *Provided*, That no such bond shall Mortgage. be issued for a less denomination than one hundred dollars. Proviso.

SECTION 3. That the governor shall issue letters patent to said Letters patent. company whenever three thousand shares shall have been subscribed to the capital stock thereof; and all subscriptions made to the capital stock of said company shall be valid, notwithstanding the party making the same shall not, at the time thereof, pay five dollars on each and every share subscribed.

SECTION 4. That the said company shall have the right to Route. build and construct a railroad from some point at or near the borough of Bedford, in the county of Bedford, with single or double track, to connect with any other railroad or railroads now constructed or which may be hereafter constructed in said county or adjoining counties leading towards Philadelphia or Pittsburg.

When to be used
and occupied. SECTION 5. That whenever any section or sections of five miles or more of said railroad shall be completed, the said company may use, occupy and enjoy the same as fully and in the same manner as if the whole of said road were completed.

May receive real
estate in pay-
ment for stock. SECTION 6. That the said company are hereby authorized to take, receive and hold such real estate, in fee simple, in payment of subscriptions to the stock of said company, upon such terms as may be agreed upon by the said company and the individual offering the same; and the said company may transfer, by deed or otherwise, the title or titles to such real estate, or any part thereof, as may be agreed upon between the company and the contractors, for the purpose of defraying the cost of constructing and equipping said road; and if not so disposed of, the said company shall sell the said real estate, for the use of said company, within ten years from the commencement of said road.

Limitation. SECTION 7. That if said company shall not commence the construction of said road within five years from the passage of this act, and complete the same within fifteen years from the organization of the company, this act shall be null and void.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 747.

AN ACT

To incorporate the Lahaska Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John E. Kenderdine, William Balderston, George G. Marvis, George W. Closson, Elias E. Paxson, Jesse P. Carver and William R. Evans, and such other persons as may associate with them, are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Lahaska insurance company, and by that name shall have perpetual succession, to have and enjoy all the rights, powers and privileges, and be subject to the limitations and restrictions provided by an act of assembly, passed the second day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies;" the*

business to be conducted on the mutual principle, with power to insure buildings and personal property against loss by fire; and also to insure the lives of domestic animals from disease or accident; the company may charge such premiums as to insure a sufficient fund at command for the payment of expenses and losses, but no dividends or surplus shall be declared or divided; the company shall have the privilege of fixing the number of directors, and the time and manner of holding the election and publishing its accounts; the seven persons named in this act shall be the first directors to organize the company.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 748.

AN ACT

To incorporate the Tyrone City Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Burley, Caleb Guyer, William Stoke, Jacob W. Jones, Commissioners. John D. Stewart, Jonathan H. Burley, John Jones, John W. Furry and Jacob Stephens, be and are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company, by the name, style and title of Style, the Tyrone City water company, to be located at or near Tyrone Location City, in the county of Blair, for the purpose of introducing from the Sinking run, or some other convenient source, into the said town of Tyrone City, a sufficient supply of pure and wholesome water; said company to have a capital of twelve thousand dol- Capital. lars, divided into four hundred and eighty shares of twenty-five dollars each, and shall be organized and managed under the provisions of an act to provide for gas and water companies, Subject to. approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and the supplements thereto.

SECTION 2. That the said company be and they are hereby May pay interest authorized and required to pay to the stockholders entitled to to stockholders. receive the same, in the months of May and October, in each year, interest at the rate of six per cent. per annum, on all instalments paid by them, and to continue to pay the same until

the works shall be completed: *Provided*, That interest shall not be paid upon any share of stock upon which any instalment, which has been called for, remains unpaid: *And provided also*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, nor until the net earnings or income of the company shall at least pay six per centum upon the capital invested.

SECTION 3. That the borough officers of said Tyrone City, be and are hereby authorized and empowered to levy and collect a water rate or tax, on all property in said town, which may be assessed for county or state purposes, so that said tax shall not exceed for any one year, the sum of two per centum on the actual cost of said water works; which tax shall be deemed a consideration for facilities secured to said borough, for extinguishing fire by means of adequate fire plugs erected and constructed at suitable points in said borough.

SECTION 4. That if said company shall not commence the construction of said works within five years of the passage of this act, and complete the same within three years thereafter, then this act shall become null and void, except so far as may be necessary to close the affairs of, and to pay the debts of the company.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred fifty-eight.

WM. F. PACKER.

No. 749.

AN ACT

To provide for the erection of a New County out of parts of the counties of Erie, Crawford and Warren.

Boundaries

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all that territory within the boundaries of the townships of Wayne and Concord, in the county of Erie, not containing one-tenth of the population of said county, and within the boundaries of townships of Columbus, Spring Creek, Eldred and Southwest, in the county of Warren, and within the boundaries of the townships of Bloomfield, Athens, Steuben, Troy, Oil Creek, Rome and Sparta, in the county of Crawford, shall be and the

same is hereby erected into a new county, to be called "Marion," Name.
on the conditions hereinafter expressed, and subject to the provisions of article twelfth of the last amendments to the constitution.

SECTION 2. That for the purpose of ascertaining the sense of the citizens of the counties of Warren and Crawford, in regard to the erection of said new county, the sheriffs of the said counties of Warren and Crawford, respectively, shall give notice by proclamation in the usual manner, in the several newspapers published in said counties, that an election will be held in the several townships, wards and districts therein, on the second Tuesday of October, in the year of our Lord one thousand eight hundred and fifty-eight, for the purpose of adoption or rejection of the said new county; which said election shall be held at the places, and opened and closed at the time at and within which the general elections of said counties of Warren and Crawford are held; and it shall be the duty of the judges and inspectors of each of the townships, wards and districts within said last mentioned counties, to receive at said election tickets from citizens of said counties, duly qualified to vote for members of the general assembly, and to deposit them in a box or boxes to be for that purpose provided by the proper officers, which tickets shall be respectively labelled on the out side "new county," and those who are favorable to said new county may express their desire by voting severally a ticket so labelled as aforesaid, containing on the inside thereof the words, "for the new county," and those who are opposed may express their opposition by voting severally a ticket so labelled as aforesaid, containing on the inside thereof the words, "against the new county."

Sense of the citizens of Warren and Crawford to be had by an election.

When election to be held.

Judges and inspectors, duties of.

Tickets.

SECTION 3. That it shall be the duties of the return judges of the respective townships, districts and wards aforesaid, to make return of the votes so cast as aforesaid, in the manner prescribed by law for making returns of the votes cast for members of the general assembly, and if it shall appear that those in favor of said new county shall have cast a majority of votes therefor in each of said counties respectively, then this act shall take effect upon the conditions and in the manner hereinafter provided; but if a majority of votes cast in the county of Warren, or a majority of votes cast in the county of Crawford, shall be against the new county, then this act shall be null and void.

Return judges, duty of.

SECTION 4. That the inhabitants of said county of Marion, from and after the second Tuesday of October, in the year of our Lord one thousand eight hundred and fifty-nine, shall be entitled to and at all times thereafter have all and singular the courts, jurisdictions, offices, rights and privileges to which the inhabitants of other counties of this commonwealth are entitled by the constitution and laws thereof; and shall elect on the said second Tuesday of October, one thousand eight hundred and fifty-nine, one person to serve as sheriff; one person to serve as prothonotary; one person to serve as treasurer; one person to serve as register and recorder and clerk of the courts of quarter sessions and orphans' court; one person to serve as district attorney; one person to serve as coroner; two persons to serve as associate judges; three persons to serve as commissioners, one of whom shall serve for one year, one for two years, and

Election of county officers, &c.

When held.

Terms of certain officers to be decided by lot.

one for three years, the limitation of which terms respectively shall be determined by lot after their election; and three persons to serve as auditors, one of whom shall serve for one year, one for two years and one for three years, the limitation of their terms respectively to be determined in like manner as the terms of the said commissioners, subject to all the requirements, obligations, rights, privileges and duties imposed upon such officers generally by the laws of this commonwealth.

To remain a portion of the sixth judicial district.

SECTION 5. That the said county of Marion shall be and remain a portion of the sixth judicial district, and the several courts in and for said county shall be opened and held at such house as may be designated and provided by the commissioners of said county, to be elected as provided in the foregoing section, until a court house in and for said county shall be erected, and shall be then held in said court house at such times as shall be hereafter provided by the legislature.

Suits

SECTION 6. That all suits and cases which shall be pending and undetermined in the several courts of Erie, Warren and Crawford counties, on the second Tuesday of October, one thousand eight hundred and fifty-nine, wherein both parties shall at that time be resident in the said county of Marion, shall be transferred, with all things pertaining thereto, to the proper courts of said county, to be proceeded on in like manner as if the same had been originally commenced in said courts, except that the fees on the same, which shall have accrued and be due at the time of the removal of said suits and causes to the officers of Erie, Warren and Crawford counties, shall be paid to them by the officers of Marion county, when the same shall be received by them; and the prothonotaries of Erie, Warren and Crawford counties shall, on or before the first day of September, in the year of our Lord one thousand eight hundred and fifty-nine, procure dockets, and copy, or cause to be copied therein, all the docket entries respecting said suits and cases so to be transferred as aforesaid, and on or before the first day of November in said last mentioned year, have the said dockets ready to be delivered, together with the records, and all papers respecting said suits and cases, to the proper officers of the county of Marion, the expenses thereof to be paid by said county: *Provided*, That all writs remaining in the hands of the several sheriffs of the counties of Erie, Warren and Crawford, unexecuted on the said second Tuesday of October, Anno Domini one thousand eight hundred and fifty-nine, against residents of the said county of Marion, may be proceeded on by them in the same manner as if this act had not been passed, and return thereof shall be made in due form of law to the proper office in the said county of Marion.

Dockets.

Proviso.

Certain officers of Erie, Warren and Crawford counties to continue duties, &c.

SECTION 7. That the sheriff, coroner and other officers of Erie, Warren and Crawford, shall continue to exercise the duties of their respective offices as heretofore within parts of Marion county, which, before the passing of this act, were in the counties of Erie, Warren and Crawford respectively, until similar officers shall be elected and duly qualified as required by the existing laws of this commonwealth.

Marion county to elect members, &c., as heretofore

SECTION 8. That the inhabitants of the county of Marion shall elect members of Congress, senators and members of the House

of Representatives as heretofore, until such time as by apportionment under existing laws it may be otherwise provided.

SECTION 9. That the commissioners of the county of Marion are hereby authorized to take assurances to them and their successors in office of such lot or lots of ground as they or a majority of them may approve, for the purpose of erecting thereon a court house, jail and offices for the safe keeping of the records and the transaction of the business and affairs of said county; and it shall be lawful for them to assess, levy and collect, in the manner provided by the laws generally of this commonwealth, taxes, to defray the expenses thereof.

Court house, jail and offices, relative to.

SECTION 10. That in all cases where it may be lawful for the sheriff or jailor of the county of Marion to hold in close custody the body of any person or persons in the common jail prior to the erection of said jail in said county, such person or persons shall be committed to the jail of Crawford county, to be safely kept until discharged by due course of law, or removed to the jail of Marion county, when the same shall have been constructed and prepared for the reception of prisoners, when such removal shall be had on the order of the proper court of said county of Marion; and the sheriff of said county of Marion shall be allowed ten cents per mile for the removing and conveying the said prisoners to and from said jail of the county of Crawford.

Prisoners, relative to the custody of, &c.

Use of jail of Crawford county.

Compensation for removing prisoners.

SECTION 11. That the sheriff, jailor or prison keeper of the said county of Crawford shall receive all prisoners as aforesaid, and shall provide for them according to law, and shall be entitled to the fees, and such allowance as is directed by law for their retention and maintenance of prisoners in similar cases, which shall be paid by the commissioners of the county of Marion.

Keeper of Crawford county, duty and fees of.

SECTION 12. That all taxes and arrears of taxes laid or which may become due before this act shall take effect, and all sums of money due the commonwealth for militia fines or otherwise, and all liabilities for municipal purposes and on account of subscriptions made by the respective counties whose territory may be hereby taken to form the said county of Marion, for stocks to corporations, or any other purposes, may be assessed, collected and recovered as if this act had not been passed: *Provided always*, That the moneys arising from the county taxes to be assessed within the limits of the county of Marion after the said second Tuesday of October, Anno Domini one thousand eight hundred and fifty-eight, shall, from time to time, as the same may be collected and paid into the treasuries of the counties of Erie, Warren and Crawford, be set apart and kept for the use and benefit of the county of Marion, until such time as a treasurer shall be elected and duly qualified within said county; and the treasurers of the said counties of Erie, Warren and Crawford shall keep account thereof, and pay the same to the said treasurer of the county of Marion, as soon as he shall be duly qualified to act; and so much of said last mentioned taxes as may remain uncollected at the time of the due election and qualification of the said treasurer of Marion county, shall be collected and paid into the treasury of said county in the usual manner. That John H. Walker, John W. How and Chapin

Taxes, relative to the collection and recovery of certain.

Proviso.

Commissioners to designate and determine county seat.	Hall are hereby constituted commissioners to designate and determine the location of a county seat in and for said county, and they, or a majority of them, are requested to meet within thirty days after such time as the said county of Marion may have been determined on by a majority of the votes of the legal voters of said counties of Crawford and Warren respectively, in the manner above set forth, and shall proceed to examine, designate, locate and determine a place within said county of Marion for the county seat thereof, having in view the selection of such place as shall seem to them most proper and convenient for the inhabitants of said county generally, and shall make report thereof to the office of the secretary of the commonwealth and to the office of each of the prothonotaries of the courts of Erie, Warren and Crawford counties, and shall be entitled to charge and receive therefor the sum of five dollars per day, respectively, for each and every day spent in the discharge of the duties imposed by this section, to be paid by said county of Marion; and it shall be the duty of the commissioners of said county, as soon as they shall be duly qualified to act, to proceed and designate the site of the public buildings, to wit: The court house, jail and offices aforesaid, within such place so determined by said commissioners, or a majority of them, as the county seat of said county of Marion.
To make report to secretary of the commonwealth.	
Compensation.	
Site of public buildings, relative to.	

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

— — —
No. 750.

A N A C T

To incorporate the Greensburg Gas and Water Company.

Corporators.

Style.

Powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Edgar Cowan, E. J. Keenan, C. R. Painter, Jacob Turney, Joseph Greer and Charles M'Causland, and their successors and associates, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Greensburg gas and water company; and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being*

impleaded in all courts and judicatories whatever; and also of contracting and being contracted with relative to the business and objects of said corporation, as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

SECTION 2. That the said corporation shall have exclusive authority to supply with gas light or water the borough of Greensburg and its vicinity, in the county of Westmoreland, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough the necessary buildings, machinery and apparatuses for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible. Exclusive right to supply gas.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased, from time to time, not to exceed seventy thousand dollars, as the managers thereof shall deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable only by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation: *Provided*, That a majority of the managers are satisfied said transfer shall be made. Capital stock. Seal. Proviso.

SECTION 4. That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy duly authorized, six managers, to serve until their successors shall be duly elected, which shall be annually on the first Monday in March thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share of stock *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election. Subscriptions. Organization. Managers. Officers. By-laws. Votes.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulations, not inconsistent with the laws of this commonwealth; and shall keep minutes of their proceedings, which shall, at all proper Power of managers.

times, be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary ; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Penalty for connecting with main or other pipe.

SECTION 6. That if any person or persons shall open a communication into the gas or water pipes of the said company, without authority from the proper officer thereof, or shall let on the gas or water, after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation to inspect, at proper times and under circumstances, the pipes, metres and burners, et cetera, put up in any building, he, she, or they so offending, shall be subject to a penalty of not less than twenty, nor more than eighty dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

For injury to works.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas or water pipe, gas post or water hydrant, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days, nor more than one year, or both, at the discretion of the court : *Provided*, That such prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit.

Proviso.

SECTION 8. That if any subscriber for stock to said company, or his, her or their assigns, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay ; and if the same shall remain so long, that the penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon may be disposed of by the said company, as will best promote their objects.

May issue certificates of credit, &c

SECTION 9. That the managers of said company are hereby authorized to issue certificates of credit, or evidences of indebtedness, for any sum or sums of money not exceeding twenty thousand dollars at any one time, for the purpose of aiding them in the construction of their works and managing the business of the company ; said certificate shall be signed by the president and attested by the secretary, and shall have such interest

as may be agreed upon, not exceeding eight per centum per annum; said certificates shall be made payable at the office of the company, within twenty years from the time of issuing thereof: *Provided*, That said certificates shall not issue for a less sum Proviso. than one hundred dollars; and to secure the payment of said certificates, there shall be a general mortgage given upon the real estate and all the effects of the said company, for the benefit of such person or persons as may at any time hold certificates: *Provided*, That stockholders of said company shall be jointly and severally liable, in their individual capacities, for all debts due Individual liability. mechanics, workmen and laborers employed by, and for material furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 751.

AN ACT

To annul the Marriage Contract between Samuel Minick and Margaret Minick.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Samuel Minick and Margaret Minick, his wife, late of the county of Mercer, on the seventh day of August, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties, rights and obligations arising therefrom, as fully and effectually and absolutely, in all respects, as if they had never been joined in marriage.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 752.

A N A C T

To authorize Sarah Augusta Salmon, administratrix of William C. Salmon, deceased, to sell and convey Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Sarah Augusta Salmon, administratrix of William C. Salmon, late of Milford, in the county of Pike, deceased, be and she is hereby authorized to sell and convey, either at public or private sale, any real estate, or interest in real estate, which the said William C. Salmon may have owned at the time of his death, for cash or credit: Provided, That any sale so made shall be approved by the orphans' court of Pike county; and also, that the said administratrix shall give bond with security, to be approved by said court, for the faithful application of the proceeds of sale; which bond shall be entered and filed among the records of said court.*

G. NELSON SMITH,
Speaker pro tem. of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 753.

A S U P P L E M E N T

To an act incorporating the Lancaster, Lebanon and Pinegrove Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time specified for commencing and completing the Lebanon, Lancaster and Pinegrove railroad, incorporated by the act of assembly, approved the twenty-eighth day of March, one thousand eight hundred and forty-six, and the supplement to said act, approved the sixth day of May, one thousand eight hundred*

and fifty-two, be and the same is hereby extended for the term of five years.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 754.

A FURTHER SUPPLEMENT

To an act to incorporate the Bucks County Contributionship for insuring Houses, and other buildings, from loss by Fire.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall be lawful for the Bucks County contributionship for insuring houses, and other buildings, from loss by fire, to make insurances on buildings, and other property already included in their act of incorporation, according to their discretion, in policies signed by the president and secretary; and that policies so issued shall not constitute the person or persons receiving them, members of the company, and consequently not liable for any loss that may occur beyond the premium paid for their insurance, nor shall they be entitled to withdraw such premium at the expiration of his, her or their policy.*

G. NELSON SMITH,
Speaker pro tem of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 755.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Delaware, Lehigh and Wyoming Valley Railroad Company," approved March fourteen, one thousand eight hundred and fifty-three.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporate powers and franchises of the Delaware, Lehigh and Wyoming Valley railroad company, passed the fourteenth of March, one thousand eight hundred and fifty-three, are hereby renewed and extended under the corporate name, style and title of the Wyoming Gravity railroad company; and the stock of the said company shall consist of seventy-five thousand shares of fifty dollars each.

SECTION 2. That the directors elected under the act to which this is a supplement, shall be and they are hereby declared to be directors of the Wyoming Gravity railroad company; they shall open books anew, after organizing, for the subscription of all the capital stock of the said company; the stock already subscribed under the act to which this is a supplement, to be relinquished and made void; the new stock to be subscribed under such rules and regulations as the said board shall order and direct; the said board of directors to have all and singular the powers and privileges held under the original act, in addition to those hereby conferred, and hold their offices for one year, and until at least one fourth of the capital stock shall have been subscribed. In the place of Harrison Wright, Esquire, deceased, Samuel D. Turner is hereby substituted a director.

SECTION 3. That the said company, in lieu of the privileges heretofore conferred, shall have the right to build and construct a gravity railroad, with such number of tracks, and with such turn-outs, sidings and other appendages as may be necessary, to commence on the Hanover and Newport township line, in the county of Luzerne, and extend up the Wyoming valley, within the coal measures, a distance of not less than ten miles, and terminate on the Delaware river, at any point above Belvidere, in the state of New Jersey; that portion of road within the Wyoming valley to be a motive power or gravity road, as the said company deem expedient; the said company shall have the right to use motive power on any part of the said road, and also to build and construct branches connecting with said road, upon the gravity or motive power plan, at any point or points within the county of Luzerne: Provided, That said branches shall not severally exceed ten miles in length.

SECTION 4. That the rates of toll on coal, chargeable on the said road and branches, shall not exceed two cents per ton per mile; the ton to be twenty-two hundred and forty pounds.

SECTION 5. That any incorporated company may subscribe stock in said gravity railroad company, to an amount not ex-

ceeding one-sixth of the capital stock of the said Wyoming Gravity railroad company.

SECTION 6. That the said company shall have all the powers, ^{Subject to.} and be subject to all the duties and restrictions prescribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, not hereby altered or supplied, or inconsistent herewith, and all such parts of the act to which this is a supplement, inconsistent herewith, are repealed.

SECTION 7. That the ninth and last section of the act to which ^{Repeal.} this is a supplement, is hereby repealed.

SECTION 8. That the words in the sixth section of the original act, and to which this is a supplement, "at or near the said Delaware Water gap," are hereby repealed, and the said company may borrow money, to an amount not exceeding one and a half ^{May borrow} million of dollars, on bonds secured by mortgage on the cor- ^{money.} porate property of the said company.

SECTION 9. That the said company shall be allowed seven ^{Limitation.} years from the passage of this act to complete the said railroad.

G. NELSON SMITH,

Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 756.

A N A C T

To incorporate the American Literary Union of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alfred H. Love, Edmund Brick, Richard J. Williams, A. W. ^{Corporators} Nash, Leonard N. Walker, J. Stokes Nash, Arthur M. Burton, David W. Sellers, David B. Brown, Howard Chalien, William M. Smith, John Goforth, Arthur Miller, Leonidas Abbett, William D. Hoyt, Samuel G. Thompson, and their associates, be and they are hereby created a body politic and corporate by the name, style and title of the American Literary Union of Philadelphia, and such other persons, whether minors or adults, as may hereafter become members of the same, shall be and are hereby declared to be a body politic and corporate by the name,

Style.	style and title of the American Literary Union of Philadelphia,
Powers.	to have perpetual succession, to have power to take, hold and dispose of for the use of the said American Literary Union, any and all kinds of property, real estate, goods, chattels and sum or sums of money by gift, grant, bargain, sale, deed, will, devise or bequest, or otherwise, from any person or persons whomsoever capable of making the same: <i>Provided</i> , That the net annual income from said real estate, goods, chattels, moneys, et cetera, shall not exceed the sum of five thousand dollars, and the same to grant, bargain, sell, transfer, assign, mortgage and convey; to sue and be sued, contract and be contracted with, have and use a common seal, and to alter, destroy and renew the same at pleasure, and to do all other acts and enjoy all other powers incident to similar corporations in general, under and subject to the laws of this commonwealth.
Proviso.	
Officers.	SECTION 2. That the officers of said corporation shall be such as said corporation may think necessary, who shall be elected at such times and in such manner as the rules and by-laws of the corporation may direct.
By-laws.	SECTION 3. That the said corporation shall have power and authority to make such rules and by-laws as shall be necessary for the government and the promotion of the interest of the said corporation: <i>Provided</i> , That no rule or by-law as aforesaid shall be valid, if inconsistent with the constitution and laws of this state or of the United States.
Proviso.	
First officers, relative to.	SECTION 4. That the present officers of said corporation shall continue in their respective stations until an election shall be had under this act, and the rules and by-laws now in force shall be good and valid until altered, amended or abrogated by the corporation.
Object	SECTION 5. That the objects of said corporation shall be the promotion and encouragement of literary and scientific pursuits; and the said corporation shall for the benefit of its members, hold stated meetings for the discussion of moral, political and scientific subjects, and exercise in reading, recitation, composition and declamation, procure collections of suitable books and provide such other means of mental improvement as the rules and by-laws of the said American Literary Union, now in force, or as hereafter amended by the corporation, shall permit; and the said corporation shall be empowered to devise, adopt and execute all measures that may be proper and expedient for the accomplishment of these objects.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

JNO. CRESSWELL, Jr.,
Speaker of the Senate pro tem.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 757.

A N A C T

To change the name of Virginia Lind Holland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name of Virginia Lind Holland, of the city of Philadelphia, be and the same is hereby changed to Virginia Lind Dunlap, by which name she shall hereafter be able and capable in law to hold all property or rights of property to which she has been or may hereafter be in any manner entitled.*

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 758.

A S U P P L E M E N T

To the act incorporating the East Mahonoy Railroad Company, approved the twenty-first day of April, A. D. one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the East Mahonoy railroad company be and is hereby revived, and the time for commencing the construction of said road, is hereby extended for a period of five years from the passage of this act.*

G. NELSON SMITH,
Speaker pro tem. of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 759.

A N A C T

To incorporate the Dimes Saving Institution of York.

	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That
Corporators.	Samuel Small, Eli Lewis, Samuel Wagner, Henry Welsh, Abraham Forry, John Hough, A. J. Glossbrenner, Peter M'Intire, T. N. Haller, Mathew Tyler, Jacob Hay, David Small, V. K. Keesey, William H. Kurtz, senior, G. Edward Hersh, William Smith, (druggist,) Edward Chapin, John F. Spangler, E. G. Smyser and Adam Klinefelter, and their successors, be and they
Style.	are hereby made and created a corporation and body politic, by the name and style of the Dimes savings institution of York, and by that name shall have perpetual succession, and by law
Privileges.	be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law or equity, or in any other place whatsoever, and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the borough of York, and county of York: <i>Provided</i> , That a misnomer of the said corporation in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained:
Proviso.	<i>And provided further</i> , That nothing in this act contained shall be so construed as to confer upon the said corporation banking privileges, or so as to exempt the same from the operation of the laws of this commonwealth prohibiting the issuing of bank notes, or engagements of credit in the nature thereof.
Business of corporation.	SECTION 2. That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by tradesmen, clerks, mechanics, laborers, servants, minors, married women, and others, and to invest the same in the stocks of this commonwealth or of the United States, or in stocks and bonds of any city authorized to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages and other approved and valid securities; the said corporation shall receive all sums of current money that may be offered as aforesaid, and shall invest the same in manner aforesaid, as soon as practicable; they shall allow to the depositors interest upon the deposits, to be regulated by the trustees, as hereinafter provided; and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors, at the place of business of the said corporation, at any time during business hours, on demand: <i>Provided however</i> , That not more than twenty-five dollars shall be required to be paid to any one depositor upon any one day, unless a writ-
Investments.	
Interest.	
Proviso.	

ten notice of the sum intended to be demanded shall have been given at least ten judicial days before the time when such payment is desired to be made.

SECTION 3. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales or otherwise, to secure debts due to them. Real estate.

SECTION 4. That the persons named in the first section of this act, or any nine of them, shall elect by ballot, nine persons, either from among those named in this bill, or others, to be the first trustees of the said corporation; no person to be considered elected unless he shall have received the affirmative vote of at least five of the said corporators; that vacancies, by death, resignation or otherwise, shall be filled by the board of trustees, as soon as practicable, by an affirmative vote of at least five of their number, at any election held by ballot; that the said trustees shall elect from among themselves a president and vice president, and shall appoint such other officers as they may deem necessary; that six of the said trustees shall form a quorum, and that the affirmative vote of at least five, shall be requisite to authorize the sale or transfer of securities, or the appointment of any officer receiving compensation; that the president, vice president, or any trustee, or any officer or servant of the said corporation, shall not directly or indirectly borrow the funds of the said corporation, nor any part thereof, nor use the same, nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the board of trustees; that the said trustees shall meet regularly, at least once a month; and that any trustee omitting to attend the said regular meetings, for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws not contrary to the constitution of the United States, the constitution of this commonwealth, or to the provisions of this act, and to alter the same from time to time, as they may deem expedient. Election of trustees.
Vacancies.
Officers.
Quorum.
Officers not to borrow funds
Meetings of trustees.
By-laws

SECTION 5. That trustees shall regulate the rate of interest upon the deposits, and publish the same annually; that interest shall not be allowed to any depositor until his deposit amounts to two dollars, the interest to be calculated by calendar months only, and no interest to be allowed for the fraction of a month; that deposits made by minors or married women, may be repaid to them, and their receipts shall discharge the said corporation from any further claims for the sums so repaid. Interest on deposits.

SECTION 6. That for the security of the depositors of the said institution, it shall be the duty of the persons named in the first section, and such others as may become members of the institution previous to the granting letters of incorporation, to raise and form a capital of not less than ten, nor more than fifty thousand dollars, in shares of twenty dollars each; which capital shall at all times be liable to the depositors, for the amount of their deposits and the interest accruing thereon; the shares to be transferable on the books of the institution, in such manner as may be designated by the by-laws of said institution. Security to depositors, relative to.

Reports to legis-
lature.

Dividends.

Official bonds.

Inspection of
books.

SECTION 7. That it shall be the duty of the trustees, in the month of January in each year, to report to the legislature the aggregate amount of deposits on hand, with the interest which has accrued thereon, and as often as they may deem proper, make and declare a dividend of the interests and profits of said corporation, after paying its expenses and reserving a fund for contingencies, and the same pay over to the shareholders or their legal representatives, within ten days thereafter, and to make a full exhibit of the affairs of said institution, according to the acts of the general assembly in such case made and provided.

SECTION 8. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct, as the board of trustees may require; that in all cases of loans upon real estate, the expenses of searches, examinations and certificates and recording papers, shall be paid by the borrower; that the books of the said corporation shall at all times, during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as agents for that purpose; that the said corporation shall be subject to the supervision and control of the court of common pleas of the county of York, and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth and the several acts of assembly conferring equity jurisdiction upon the said courts.

G. NELSON SMITH,

Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 760.

AN ACT

To incorporate the Abington Springs Hotel Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Moore Stevens, Jacob E. Buck, Charles Robbins, Josiah Markley, David Cummings, Jacob Weckerly, John M. Fenton, Sylvester Soliday, Jeremiah Larzalere, Hiram Rending, Oliver P. Fretz, Crosdale Twining, and their associates, and all persons who may hereafter be holders of stock in the company hereby*

incorporated, shall be and they are hereby declared to be constituted a body politic and corporate, by the name, style and title of the Abington Springs hotel company, to be located in the county of Montgomery, and shall possess and exercise all the rights, privileges and immunities, and subject to all the regulations, duties and penalties and each and every of the provisions enacted by the act of the fourteenth of March, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to incorporate the Butler House hotel company:" *Provided*, That this act of incorporation shall continue in force for the term of twenty years and no longer. Style. Subject to. Proviso.

SECTION 2. That the capital stock of said company shall be fifty thousand dollars, to be divided into shares of fifty dollars each, with power to increase the same from time to time, by a vote of the stockholders at a meeting convened for that purpose, as much as in their opinion may be necessary to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That the stockholders of said company shall be jointly and severally liable in their individual capacities and estates, for all the debts due to mechanics, workmen and laborers employed by said company, and for materials furnished said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three. Individual liability. Subject to.

G. NELSON SMITH,
Speaker pro tem. of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 761.

A N A C T

To incorporate the Mahoning Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Brown, Stacy B. Williams, Isaac C. Jordan, Harrison M. Coon and James E. Mitchell, shall be and they are hereby appointed commissioners for the purposes hereinafter mentioned, that is say, they or a majority of them shall procure, open and keep open from time to time, and for such length of time as they may deem proper, or until five thousand dollars are sub- Commissioners.

scribed, and no longer, a suitable book or books, and receive
 Subscriptions to stock. subscriptions therein from all persons desiring to take stock in
 said company, to be incorporated in pursuance of said act; the
 form of said subscriptions shall be as follows, to wit: We whose
 names are hereunto subscribed, do severally promise to pay to
 the Mahoning navigation company, the sum of ten dollars for
 each and every share of stock set opposite to our names, at such
 time, and in such instalments, as the managers of the said company
 may require; and every person so subscribing, as soon as the
 said subscriptions amount to one thousand dollars, shall pay to
 said commissioners a sum not exceeding one dollar on each share
 they may have subscribed; when one hundred shares shall have
 been subscribed, the said commissioners, or a majority of them,
 shall certify the same to the governor, verified by the oath or
 affirmation of at least two of their number, whereupon the gov-
 ernor shall, by letters patent in the usual form, create and con-
 Letters patent. stitute the subscribers, and those who may thereafter subscribe
 to the stock of said company, their successors and assigns, a
 body corporate and politic, by the name, style and title of the
 Mahoning navigation company, and by the said name and style
 Style and title, the said company shall have perpetual succession, and
 be able and capable in law to sue and be sued, plead and be im-
 pleaded, and to receive, possess and dispose of all money and
 property belonging, or that may belong to said company.

SECTION 2. That as soon as possible after the issuing of said
 letters patent, the said stockholders, or any part of them shall,
 at some convenient time and place, whereof public notice shall
 be given, in at least one newspaper in the county of Jefferson,
 and one in the county of Armstrong, at least three weeks before
 Officers the time, proceed to elect one president and four managers for
 said company, who shall continue to act for one year, and until
 their successors shall be elected; annually thereafter, at such time
 and place as may be designated by the managers, as above di-
 rected, the stockholders, or any of them, in person or by written
 proxy, may proceed to elect a president and managers as afore-
 said, and for the term aforesaid; each stockholder shall have
 Votes one vote for each share he shall have subscribed, not exceeding
 ten, and one vote for every five shares exceeding that number,
 and not exceeding twenty shares; no stockholder shall be enti-
 tled to vote at any election of said company, until he shall have
 paid the whole sum due and payable on each share or shares
 held by him at the time of said election; the said president and
 By-laws managers shall have power to make such by-laws and regula-
 tions, not inconsistent with the constitution and laws of the
 United States, and of this state, as may from time to time be
 necessary.

SECTION 3. That the president and managers of the said com-
 Powers and pri- vileges vity shall have power to clean and clear Mahoning creek, Canoe
 creek, Big Run Stump creek and East Branch, from all rocks,
 bars and other obstructions; to erect dams and locks, to bracket
 and regulate all dams now erected, or that may be erected, to
 regulate the schutes of dams, to regulate and bracket all dams
 and schutes that may hereafter be erected in said streams, and
 the same to alter as may be necessary, so that no injury is done
 to water power or the owners thereof; they shall also have the

power by bracket, or otherwise, to control the waters in said streams for the purpose of navigation; to levy tolls, not exceeding one and one-fourth cents for each and every five miles run upon said creek, per thousand feet of boards, or other sawed stuff; one and one-fourth cents for every fifty feet, lineal measure, of square or other timber; one-fourth of one cent per foot for every boat that may pass down said creeks, to be collected at the mouth of Mahoning creek, and at such other points along said creeks as may be necessary; to appoint officers and agents and employ hands for the purpose of carrying into full effect the provisions of this act; to regulate the landing of boats, rafts, et cetera, at the mouths of said creeks, or elsewhere, that such regulations may be necessary; to take gravel, stones and timber, or other materials necessary for the erection and repairing of dams, locks, et cetera, from lands adjacent to said creeks, on paying, or securing to be paid, a fair compensation; to enforce all acts of assembly now in force against throwing in slabs, trees, stumps, et cetera, and generally to do all things necessary for the safe navigation of said streams; they shall also have power to levy tolls upon logs driven down said streams, not exceeding twenty-five cents per hundred logs, for every five miles run or driven on said creek or creeks. Tolls.

SECTION 4. That section ninth of the act twenty-sixth January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," shall apply to all cases of damages arising under this act, excepting cases of regulating dams, and other acts necessary to keep open the navigation of said streams, in cases the remedy shall be as heretofore; and the said company and their officers in all cases of regulating dams, schutes, et cetera, in every action brought for the recovery of damages arising from such regulation, may give in evidence the fact of said dams, schutes, et cetera, being a public nuisance. Subject to.

SECTION 5. That the seventh and eighth sections of the above recited act, shall apply *mutatis mutandis* to and form part of this act. Subject to.

SECTION 6. That the president and managers of said company shall keep fair, just and correct accounts of all money received and expended, and the manner of their expenditure, which said accounts shall at all times be open for inspection of the stockholders, and others interested.

SECTION 7. That the collector appointed by said president and managers shall act as treasurer, and shall give bonds in such sums as the president and managers shall indicate, for the faithful discharge of his duties, and reimbursement of all moneys that may come into his hands; he shall receive as a compensation for his services, a sum not exceeding five per cent. on all moneys by him received and disbursed. Official bonds.

SECTION 8. That a director shall be appointed by the president and managers, whose duty it shall be to direct and superintend the landing of boats, rafts, et cetera, in the mouth of Mahoning creek, and elsewhere, to see that the channel is kept open, and to return to the collector, and also to the president and managers, the number of all rafts, boats, et cetera, passing along or landing in said streams; said directors shall not permit Director, duties of.

Fine

any rafts, boats or other crafts to land in the mouth of said creek, in such a manner as to close the channel, but shall keep the same open at least fifty feet in width; and any person who shall wilfully run into and close said channel, or shall disobey the directions of said director, and thereby in any manner directly close said channel, or shall wilfully run into the mouth of said creek after the same is so closed, contrary to the directions of said director, shall pay a fine of fifty dollars for the use of said company, to be collected in any part of this state, by an action of debt before any justice of this commonwealth, and in the name of the commonwealth; and in default of payment, the person so convicted shall be committed to the jail of the proper county for the term of thirty days.

Fine.

SECTION 9. That any person or persons who shall attempt to run any raft or rafts, boat or boats, log or logs, or other craft or crafts past any collector's office without having first paid his, her or their tolls, shall be subject to a fine of five dollars for such raft, boat or other craft, and one dollar for each log so run past, to be recovered in the same manner and for the same use, and payment to be enforced in the same way as directed in section eight; and all persons aiding or abetting any person in avoiding any tolls shall be subject to the like penalties.

Tolls.

SECTION 10. That the tolls assessed under this act shall be a lien upon the property upon which they are assessed or levied, into whosoever hands the same may come, and may be recovered by action of debt or assumpsit before any justice of the peace, either against the original owner, his agent or agents, or the person or persons in whose possession the same may be; and judgment being so recovered, execution may be had of the property upon which said tolls have been assessed or are a lien, though the ownership in said property may have changed after the commencing of said suit.

Liability of collectors.

SECTION 11. That the collectors shall be liable for the tolls on all rafts, boats, et cetera, that shall pass their offices, and which shall be returned to them by the director.

When tolls may be collected.

SECTION 12. That the said company may levy and collect tolls as soon as said company is organized, and shall have the control of the landing at the mouth of said creek immediately upon the granting the charter.

Dividends.

SECTION 13. That whenever the dividends arising from the tolls shall amount in gross to the amount of stock actually subscribed, clear of all expenses, and ten per centum per annum, then and in that case the tolls shall be reduced to the amount only sufficient for the improvement of said streams.

Witness.

SECTION 14. That no stockholder or officer of said company shall, by reason of his interest therein, be disqualified as a witness in any suit in which said company is or may be a party.

G. NELSON SMITH,

Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 762.

A N A C T

To incorporate the Pennsylvania Literary Union of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Pennsylvania Literary Union of Philadelphia, and such other persons as may hereafter become members of the same, shall be and are hereby declared to be a body politic and corporate, by the name, style and title of the Pennsylvania Literary Union of Philadelphia, to have perpetual succession, to have power to take, hold and dispose of, for the use of the said Pennsylvania Literary Union, any and all kinds of property, real estate, goods, chattels and sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest, or otherwise, from any person or persons whomsoever capable of making the same; and the same to grant, bargain, sell, and a good conveyance make, for the use of the said Pennsylvania Literary Union; to sue and be sued, contract and be contracted with, have and use a common seal, and to alter, destroy and renew the same at pleasure, and to do all other acts, and enjoy all other powers incident to similar corporations in general, under and subject to the laws of this commonwealth.

Corporation established.

Style.

Powers and privileges.

SECTION 2. That the sole object of this corporation shall be for the forwarding and promotion of literary objects, and for the cultivation of literary talent among its members.

Object.

SECTION 3. That no person shall be a member of this corporation who shall not have attained the age of eighteen years; and all officers shall be citizens of this commonwealth at the time of election.

Who may be members.

SECTION 4. That the officers of said corporation shall be such as said corporation may think necessary, and shall be elected at such times, and in such manner, as the rules and by-laws of the corporation may direct.

Officers.

SECTION 5. That the members of said corporation who are or may be entitled to vote at any election of officers, shall have full power and authority to adopt such rules and by-laws as shall be necessary for the government and promotion of the interests of said corporation: *Provided,* That no rule or by-law, as aforesaid, shall be valid, if inconsistent with this act, or the constitution or laws of this state, or of the United States.

By-laws

Proviso

SECTION 6. That the present officers of the said corporation shall continue in their respective stations until an election shall be held under this act, and the rules and by-laws now in force.

First officers relative to

shall be good and valid until altered, amended or abrogated by the corporation.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 763.

A N A C T

To incorporate the Tunkhannock Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Osterhout, James Kelly, C. D. Gearhart, Gould P. Parrish, R. R. Little, S. S. Winchester, Samuel Stark, George S. Tutton and John H. Bogart be and are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company, to be located at or near the borough of Tunkhannock, in the county of Wyoming, for the purpose of introducing, from the most convenient sources, into the said borough of Tunkhannock, and points adjacent thereto, a sufficient supply of pure and wholesome water; said company to have a capital of twenty thousand dollars, divided into one thousand shares, of twenty dollars each, and shall be organized and managed under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and any supplement thereto.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 764.

A FURTHER SUPPLEMENT

To the act authorizing the incorporation of the Pennsylvania Railroad Company, approved the thirteenth of April, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania railroad company be and they are hereby authorized to lay out, locate and construct a railroad, with one or more tracks, from such point as they may select on their present road, between Harrisburg and their railroad bridge over the Susquehanna river, to the borough of Dauphin, in the county of Dauphin, and with the right to connect with any railroad now built, or which may hereafter be built, passing into or through the said borough of Dauphin, and to have, hold, use and enjoy the same, with all the powers, privileges and immunities, and subject to all the restrictions and liabilities contained in the act authorizing the incorporation of the said Pennsylvania railroad company, and the several supplements thereto: *Provided*, That the construction of the said road shall be begun within six months, and be completed within two years from the passage of this act.

Authorized to construct branch road from Harrisburg to Dauphin.

Subject to.

Proviso.

SECTION 2. That the Pennsylvania railroad company be and they are hereby authorized to lease for a term of years, or purchase, as they may deem expedient, that portion of the Dauphin and Susquehanna railroad, from its connection with the said the Pennsylvania railroad, near their bridge over the Susquehanna river, to a point in the borough of Dauphin, with the right to connect with any road now built or which may hereafter be built, passing into or through the said borough of Dauphin, with power to alter, improve, lay additional tracks, have, hold, use and enjoy the said road so leased or purchased, as a part of the Pennsylvania railroad, with all the powers, privileges and immunities, and subject to all the restrictions and liabilities contained in the act authorizing the incorporation of the said the Pennsylvania railroad company, and the several supplements thereto: *Provided*, That the proceeds of said sale be applied to the payment of the creditors of said Dauphin and Susquehanna railroad company, *pro rata*.

May purchase or lease a portion of the Dauphin and Susquehanna railroad, &c.

Proviso.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fourth day of January, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 765.

AN ACT

To enable the city of Pittsburg to raise Additional Revenue.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Pawn-brokers to
pay license.

in addition to the powers now vested in the select and common councils of the city of Pittsburg, the said councils are hereby authorized and empowered to levy and collect a license, not exceeding two hundred dollars per annum, upon each and every person in said city engaged in the trade and business of a pawnbroker, and to enact such penalties for the non-payment of the same as may be necessary for the enforcement of the power given in this section: *Provided*, That no penalty greater than one hundred dollars shall be inflicted at any one time.

Penalty.

Proviso.

Tax upon certain
retailers and
auctioneers.

SECTION 2. That the said councils are also hereby authorized and empowered to levy and collect yearly, for the use of said city, a tax not exceeding five mills on the dollar on the actual yearly sales of each and every person or firm engaged in the trade, business or occupation of retailing, for his, her or their benefit, vinous, fermented or distilled liquors, and also a similar tax, not exceeding five mills on the dollar, on the actual yearly sales of each and every person or firm engaged in the business or occupation of an auctioneer; and the said taxes so levied shall be collected as other taxes are now by law collected, and shall be a lien until paid, upon all property owned by the parties, assessed in like manner as is prescribed with reference to taxes upon real estate in the fourth section of an act, entitled "An Act supplementary to an act to incorporate the city of Pittsburg," passed May sixteenth, one thousand eight hundred and fifty-seven; and payment of the same shall be enforced as is prescribed in said section with regard to other city taxes.

In what manner
collected.

Lien.

Real estate
owned by rail-
road company,
subject to taxa-
tion.

SECTION 3. That all real estate situated in said city, owned or possessed by any railroad company, shall be and is hereby made subject to taxation for city purposes the same as other real estate in said city.

Councils author-
ized to levy a
business tax.

SECTION 4. That the said councils are also hereby empowered to levy, assess and collect, for the use of the city, an annual business tax, not exceeding one-third of one mill per dollar on the average quarterly business of all forwarding and commission merchants, brokers, banks, banking institutions, and on the average quarterly receipts of insurance companies, insurance agencies, express companies and telegraph companies doing business in said city; and in case any cashier, treasurer, secretary, or other officer of any corporation, association or company, the business whereof is made taxable under this act, shall feel aggrieved by any assessment made in pursuance of this act, that then the treasurer of said city, with the approbation of a majority of the finance committee of councils for the time being,

City treasurer,
duty of.

shall have power to reduce the said assessment, upon such cashier, secretary, treasurer or other officer filing his or their affidavit in the office of the treasurer of said city, stating the amount and value of said capital stock or business, and the amount of the alleged over-assessment, which said affidavit may be made before the controller of said city.

SECTION 5. That the amount of any tax which may be assessed, levied and collected under section fourth of this act, shall be retained and deducted by the cashiers, treasurers, or other officers having charge of said banks, institutions or companies, from the profits made by the same, and shall account for and pay the same into the treasury of the city of Pittsburg, one-half thereof on the first day of June, and the balance thereof on the first day of December of each and every year; and on failure to pay the same, then the property of said corporation or company shall be subject to levy and sale by any ward constable, for the payment thereof, upon a warrant, to be issued by the city treasurer for the time being; and all taxes levied in pursuance of this act, may be recovered as debts of similar amounts are recoverable by law.

Tax assessed upon, and collected from corporations, relative to.

Subject to.

SECTION 6. That so much of any act of assembly as is inconsistent herewith, be and is hereby repealed.

G. NELSON SMITH,

Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,

Speaker of the Senate.

APPROVED—The fourth day of January, Anno Domini one thousand eight hundred and fifty-nine.

Repeal.

WM. F. PACKER.

No. 766.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Wrightsville, New Holland and Conewago Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the times limited by the third section of the act, entitled "An Act to incorporate the Wrightsville, New Holland and Conewago railroad company," approved the nineteenth day of April, one thousand eight hundred and fifty-three, be and the same are hereby extended for the further period of six years, for commencing and completing the said road, beyond the times specified in said act.

Time extended.

Additional cor-
porators.

SECTION 2. That C. S. Kauffman, of Lancaster county, and A. S. Hiestand and Henry Kauffelt, of York county, shall be additional incorporators in the act to which this is a supplement.

A. BROWER LONGAKER,
Speaker of the House of Representatives.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 767.

S U P P L E M E N T

To the act, entitled "An Act to incorporate the Danville Railroad Company," approved the sixteenth day of April, Anno Domini one thousand eight hundred and forty.

Preamble.

WHEREAS, A failure to hold an election for officers under the provisions of the said act, took place on the first Monday of August last past, although the regular and legal notice, as prescribed by said act, was given :

And whereas, No provision has been made in said act for such a contingency ; therefore,

Election, where
to be held.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an election shall be held in the borough of Danville, in the county of Montour, on a notice of three weeks, at any time within six months after the passage of this act, by publication, as provided in the act to which this is a supplement, for all such officers as by said act should have been elected on the first Monday of August aforesaid ; and the several officers so elected, shall have all and every the same rights and powers, and hold their respective offices for the same term, as though they had been duly elected on the first Monday of August aforesaid.

Officers, powers
of

Failure to hold
an election, rela-
tive to.

SECTION 2. That hereafter in the event of the failure of said company to hold an election provided for by the act aforesaid, the former directors shall continue in office until their successors shall be duly elected ; for which purpose similar notice shall be given, and an election held within three months from the time of such failure.

SECTION 3. That the period for the commencement and completion of said railroad, be extended for the term of five years from the passage of this act. Extension of time

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 768.

A SUPPLEMENT

To the act incorporating the Reading and Columbia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing and completing said road is hereby extended five years from the expiration of the time designated in said act, approved the nineteenth day of May, one thousand eight hundred and fifty-seven.

G. NELSON SMITH,
Speaker of the House of Representatives pro tem.

WILLIAM H. WELSH,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

CERTIFICATE.

SECRETARY'S OFFICE,
Harrisburg, May 28, 1859.

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the fourteenth day of April, 1859, including an APPENDIX, containing laws passed at the sessions of 1856, 1857 and 1858, upon which the tax has been subsequently paid.

WM. M. HIESTER,
Secretary of the Commonwealth.

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